

Journal of the Senate

FIRST REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 12, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have given him his heart’s desire.” (Psalm 21:2a)

Loving Father, it is good to know that You are a God that hears and answers prayer. In our silence when words refuse to come You are aware of the deep rumblings of our soul and the concerns of our hearts. You comfort us and in our joy lift us up. When we bring our petitions before You and You respond blessing us and encouraging us so we may know the joys of Your heart by the peace and comfort of Your loving presence. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 260, regarding Staff Sergeant Troy Green, Cameron, which was adopted.

Senator Cunningham offered Senate Resolution No. 261, regarding Joe Scott, Poplar Bluff, which was adopted.

Senators Libla and Wallingford offered Senate Resolution No. 262, regarding Missouri Rice Research and Merchandising Council, which was adopted.

Senator Libla offered Senate Resolution No. 263, regarding Francisco Esquivel, Poplar Bluff, which was adopted.

Senator Nieves offered Senate Resolution No. 264, regarding Quinton Hildebrandt, St. Clair, which was adopted.

Senator Kehoe offered Senate Resolution No. 265, regarding Bob Priddy and Jeffrey Ball, which was adopted.

Senator Schaaf offered Senate Resolution No. 266, regarding Katherine Thompson, Kansas City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 298—By Holsman.

An Act to repeal sections 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, RSMo, and to enact in lieu thereof twenty-two new sections relating to campaign finance, with a referendum clause and penalty provisions.

SB 299—By Holsman.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to energy efficiency improvements to certain state buildings.

SB 300—By Holsman.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to medical assistance benefits.

SB 301—By McKenna, Romine and Walsh.

An Act to repeal sections 290.210, 290.260, and 290.262, RSMo, and to enact in lieu thereof three new sections relating to prevailing wage.

SB 302—By Wasson.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to emergency prescription refills.

SB 303—By Wasson.

An Act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to pharmacy permits.

SB 304—By Wasson.

An Act to repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers’ licenses.

SB 305—By Wasson.

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to examination requirements for physicians.

SB 306—By Wasson.

An Act to repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 139**, with **SA 1** and **SA 2** to **SA 1**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 to **SA 1** was again taken up.

At the request of Senator Sifton, **SA 2** to **SA 1** was withdrawn.

Senator Schmitt assumed the Chair.

Senator Schaaf offered **SA 3** to **SA 1**:

**SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Bill No. 139, Page 13, Section 610.027, Line 15, by inserting after the word “or” the following: “**may order the payment by such**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Schaefer moved that **SA 1**, as amended, be adopted which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator McKenna—1

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 139, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to public records and meetings, with an”; and

Further amend said bill and page, Section A, line 2 by inserting after all of said line the following:

“610.015. Except as provided in section 610.021, rules authorized pursuant to article III of the Missouri Constitution and as otherwise provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each “yea” and “nay” vote, or abstinence if not voting, to the name of the individual member of the public governmental body. Any votes taken during a closed meeting shall be taken by roll call. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication. All votes taken by roll call in meetings of a public governmental body consisting of members who are all elected, except for the Missouri general assembly and any committee established by a public governmental body, shall be cast by members of the public governmental body who are physically present and in attendance at the meeting **or who are participating via videoconferencing**. When it is necessary to take votes by roll call in a meeting of the public governmental body, due to an emergency of the public body, with a quorum of the members of the public body physically present and in attendance and less than a quorum of the members of the public governmental body participating via telephone, facsimile, Internet, or any other voice or electronic means, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **SB 139**, as amended, was declared perfected and ordered printed.

Senator Schaefer moved that **SB 12** be taken up for perfection, which motion prevailed.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 12, Page 1, Section 537.865, Line 2, by striking “party” and inserting in lieu thereof the following: “**defendant in a criminal case without compensation**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SB 12**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 42**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 42**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 42

An Act to repeal sections 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof five new sections relating to delinquent debts for the cost of imprisonment in a county jail.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 42** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 42**, was declared perfected and ordered printed.

Senator Pearce requested unanimous consent of the Senate to allow Sheriff Troy Hofstetter and Sheriff Kerrick Alumbaugh to enter the Chamber with side arms, which request was granted.

Senator Brown moved that **SB 106**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

Was taken up.

Senator Brown moved that **SCS** for **SB 106** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 106**, was declared perfected and ordered printed.

Senator Kraus moved that **SB 117**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to residency at public institutions of higher education.

Was taken up.

Senator Kraus moved that **SCS** for **SB 117** be adopted.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, In the Title, Lines 2-3, by striking the following: “residency at public institutions of higher education” and inserting in lieu thereof the following: “military affairs”; and

Further amend said bill and page, section A, line 2, by inserting immediately after all of said line the following:

“8.012. At all state buildings and upon the grounds thereof, the board of public buildings may accompany the display of the flag of the United States and the flag of this state with the display of the

POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**”; and

Further amend said bill, page 2, section 173.1150, line 27, by inserting immediately after all of said line the following:

“253.048. Within the state parks, the department may accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, Section 173.1150, Line 10, by inserting immediately after the word “Missouri” the following: “**and shall have been duly stationed in Missouri by their branch of the military forces of the United States for at least one year prior to their discharge**”; and further amend line 12 by inserting immediately after the word “attends” the following: “**and shall have been duly stationed within the taxing district of such community college by their branch of the military forces of the United States for at least one year prior to their discharge**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, Section 173.1150, Line 9, by inserting immediately after the word “presence” the following: “**and declare residency**”; and further amend line 11 by inserting immediately after the word “presence” the following: “**and declare residency**”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 117**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 117**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 43** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 43** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 51** be taken up for perfection, which motion prevailed.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 51, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to regulation of motor”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“301.301. [1. Any person replacing a stolen license plate tab issued on or after January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a police report that is corresponding with the stolen license plate tab.

2.] Any person replacing a stolen license plate tab [issued prior to January 1, 2009,] may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SB 51**, as amended, was declared perfected and ordered printed.

Senator Keaveny moved that **SB 86**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 86**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 86

An Act to repeal section 105.684, RSMo, and to enact in lieu thereof one new section relating to the retirement plan funded ratio needed for adjustments in benefits, with an emergency clause.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 86** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 86** was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 28**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 121**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 110**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 197**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 182**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 69**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 89**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 211—Education.

SB 212—Judiciary and Civil and Criminal Jurisprudence.

SB 213—Jobs, Economic Development and Local Government.

SB 214—Judiciary and Civil and Criminal Jurisprudence.

SB 215—Seniors, Families and Pensions.

SB 216—Jobs, Economic Development and Local Government.

SB 217—Transportation and Infrastructure.

SB 218—General Laws.

SB 219—Financial and Governmental Organizations and Elections.

SB 220—Ways and Means.

SJR 8—Judiciary and Civil and Criminal Jurisprudence.

SJR 9—Judiciary and Civil and Criminal Jurisprudence.

SJR 10—Rules, Joint Rules, Resolutions and Ethics.

SJR 11—Ways and Means.

SJR 12—Financial and Governmental Organizations and Elections.

SJR 13—Jobs, Economic Development and Local Government.

SJR 14—General Laws.

SJR 15—Judiciary and Civil and Criminal Jurisprudence.

SJR 16—Transportation and Infrastructure.

REFERRALS

President Pro Tem Dempsey referred the Gubernatorial Appointments appearing on pages 234 through 237 of the Senate Journal for Monday, February 11, 2013 to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey referred **SCR 7** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donna L. Birks, Democrat, 4710 Eastern Avenue, Kansas City, Jackson County, Missouri 64129, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2018, and until her successor is duly appointed and qualified; vice, Donna L. Birks, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Archie Camden, Democrat, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2016, and until his successor is duly appointed and qualified; vice, Archie Camden, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Allen Collier, Republican, 608 Fifth Street, Weston, Platte County, Missouri, 64098, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, John Allen Collier, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Timothy Flora, 1521 Ladina Place, Ellisville, Saint Louis County, Missouri 63011, as a member of the Board of Private Investigator and Private Fire Investigator Examiners, for a term ending March 4, 2016 and until his successor is duly appointed and qualified; vice, Francis "Chris" Rey, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carolyn R. Mahoney, Democrat, 1901 Andrea Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, and until her successor is duly appointed and qualified; vice, Carolyn R. Mahoney, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Derek E. Williams, 1105 South Walnut, Cameron, Clinton County, Missouri 64429, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, Derek E. Williams, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Walsh, **SA 3** was withdrawn.

At the request of Senator Rupp, **SS** for **SCS** for **SB 1** was withdrawn.

Senator Rupp offered **SS No. 2** for **SCS** for **SB 1**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.610, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Senator Rupp moved that **SS No. 2** for **SCS** for **SB 1** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 48, Section B, Line 28 of said page, by striking the word "section" and inserting in lieu thereof the following: "sections"; and

Further amend said bill and section, page 49, line 1 of said page, by inserting immediately after "287.220" the following: "and 287.715"; and further amend line 4 of said page, by striking the word

“section” and inserting in lieu thereof the following: “sections”; and further amend line 5 of said page, by inserting immediately after “287.220” the following: “and 287.715”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 22, by adding after the word “weeks” the following: “as set forth in section 287.220 (15)”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 5, Section 287.020, Line 17 of said page, by inserting the word “**only**” immediately after the word “shall”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 30, Section 287.220, Line 8 of said page, by striking the following: “all of”; and further amend line 24 of said page, by striking “an” and inserting in lieu thereof the following: “**a**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 36, Section 287.220, Line 4 of said page, by striking “may” and inserting in lieu thereof the following: “**shall**”; and further amend line 9 of said page, by inserting after the word “fund” the following: “**other than those found in subsection 15 of this section,**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 27, by inserting immediately after “employer” the following: “or, at the claimant’s option, the claimant may prosecute the claim in circuit court”.

Senator Walsh moved that the above amendment be adopted, which motion failed.

Senator Sifton offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 20 of said page, by inserting after “An” the following: “**additional**”; and further amend line 21 of said page, by striking “one” and inserting in lieu thereof the following: “**two**”; and further amend lines 24 and 25 of said page, by striking said lines and inserting in lieu thereof the following: “**exposure are found to be mesothelioma, in addition to subdivision (2) of this subsection, an additional amount of two hundred**”; and further amend lines 26 and 27 of said page, by striking “two hundred twenty-five” and inserting in lieu thereof the following: “**four hundred fifty**”.

Senator Sifton moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Sifton, **SA 7** was withdrawn.

Senator Rupp offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Lines 24-27 of said page, by striking all of said lines and inserting in lieu thereof the following: “**exposure are found to be mesothelioma, an additional amount of three hundred percent of the state’s average weekly wage for one hundred ninety-one weeks shall be paid as set forth in subsection 15 of section 287.220; and**”; and

Further amend said bill, page 27, section 287.220, line 1 of said page, by striking “subdivision 2” and inserting in lieu thereof the following: “**subdivisions (2) and (3)**”; and further amend line 2 of said page, by striking “this section” and inserting in lieu thereof the following: “**section 287.200**”; and

Further amend said bill and section, page 36, line 5 of said page, by striking “subdivision 2” and inserting in lieu thereof the following: “**subdivisions (2) and (3)**”; and

Further amend said bill, page 47, section 287.715, line 11 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: “**subdivisions (2) and (3)**”; and further amend line 16 of said page, by striking “subsection 2” and inserting in lieu thereof the following: “**subsections 2 and 6**”; and further amend line 20 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: “**subdivisions (2) and (3)**”; and further amend line 27 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: “**subdivisions (2) and (3)**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SS No. 2** for **SCS** for **SB 1**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS No. 2** for **SCS** for **SB 1**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

SB 12; SCS for SB 42; SB 43; SB 51; SCS for SB 86; SCS for SB 106; SCS for SB 117; and SB 139, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 267, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Crow, which was adopted.

Senator Lager offered Senate Resolution No. 268, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Burchett, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 269, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Fred Arthaud, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 270, regarding the One Hundredth Birthday of Goldie Phillips, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 271, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Bennett, which was adopted.

Senator Lager offered Senate Resolution No. 272, regarding Micaela Lynch, Excelsior Springs, which was adopted.

Senator Dempsey offered Senate Resolution No. 273, regarding Cathy Jankowski, Saint Peters, which was adopted.

Senator Romine offered Senate Resolution No. 274, regarding Christian Campbell, St. Francois County, which was adopted.

Senator Parson offered Senate Resolution No. 275, regarding Liam Morris Dallam, Edwards, which was adopted.

Senator Parson offered Senate Resolution No. 276, regarding Michael Bryson, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 277, regarding Jordan Christopher Gresham, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 278, regarding Kendall Ryan Kee, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 279, regarding Ryan Curtis Sprouse, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 280, regarding Nathaniel Malik Fauquier, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 281, regarding Shania Francka, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 282, regarding Michael Dye, Windyville, which was adopted.

Senator Justus offered Senate Resolution No. 283, regarding Nita Jones, Fulton, which was adopted.

Senator LeVota offered Senate Resolution No. 284, regarding the Fiftieth Anniversary of Nowlin Middle School, which was adopted.

Senator Parson offered Senate Resolution No. 285, regarding Carter Thomas Lapine, Sedalia, which was adopted.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Gary Romine to the Joint Committee on Tax Increment Financing.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the Court Automation Committee.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ryan Silvey to the Joint Committee on Legislative Research.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Jonathan Patterson, Independence.

Senator Kraus introduced to the Senate, Dr. Joseph Yasso and Dr. Phillip Accardo, Lee's Summit.

Senator Parson introduced to the Senate, Dylan Holloway, Kirk Jones, Levi Kemp, Scott Kirchoff, Desarae Lightfoot, Austin McCrickard, Gerry Phillips, Neoma Sanders, Lauren Shuler, Sheldon Toler, Tracy Slagle and Chris McClay, representatives of Leadership Bolivar.

Senator Emery introduced to the Senate, Mayor Ernie Jungmeyer, Homer Dunsworth, Holly Stark and Brad Ratcliff, Peculiar.

Senator Nasheed introduced to the Senate, Paula Hughes, Denise and Luanna Williams, Willard Moore, III and Janice Battle, St. Louis.

Senator Pearce introduced to the Senate, Sheriff Troy Hofstetter, Carroll County; and Sheriff Kerrick Alumbaugh, Lafayette County.

Senator Brown introduced to the Senate, Retired Sergeant Major David Mauldin and his wife, Ginger, Jefferson City.

On behalf of Senator Schmitt, the President introduced to the Senate, Gary Fuhr and Christian Tolbert, St. Louis.

Senator Schaefer introduced to the Senate, Mary Ridge, Sturgeon.

Senator Pearce introduced to the Senate, Merle Dierking, Blackburn; and retired Howard County teachers.

Senator LeVota introduced to the Senate, Councilman Christopher R. Whiting, Independence.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTIETH DAY—WEDNESDAY, FEBRUARY 13, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 221-Lamping
 SB 222-Lamping
 SB 223-Curls
 SB 224-Curls, et al
 SB 225-Curls
 SB 226-Schaefer
 SB 227-LeVota
 SB 228-Holsman
 SB 229-Brown

SB 230-Brown, et al
 SB 231-Munzlinger
 SB 232-Wallingford
 SB 233-Sater, et al
 SB 234-Wasson
 SB 235-Cunningham
 SB 236-Parson
 SB 237-Emery
 SB 238-Emery

SB 239-Emery	SB 275-Walsh
SB 240-Lager	SB 276-Emery and Nieves
SB 241-Lager	SB 277-Holsman
SB 242-Kehoe	SB 278-Kehoe
SB 243-Brown	SB 279-Kehoe
SB 244-Schaefer	SB 280-Wasson
SB 245-Justus	SB 281-Wasson
SB 246-Walsh and Silvey	SB 282-Wasson
SB 247-Walsh	SB 283-Parson
SB 248-Wasson	SB 284-Sifton, et al
SB 249-Nasheed	SB 285-Romine
SB 250-Schaaf	SB 286-Romine, et al
SB 251-Kraus and Chappelle-Nadal	SB 287-Rupp
SB 252-Kraus	SB 288-Lamping
SB 253-Justus	SB 289-Sifton
SB 254-Pearce	SB 290-Walsh
SB 255-Schmitt and Schaefer	SB 291-Rupp
SB 256-Silvey	SB 292-Rupp
SB 257-Silvey	SB 293-Pearce
SB 258-LeVota	SB 294-Schmitt
SB 259-Schaaf	SB 295-Lager
SB 260-Brown	SB 296-Lager
SB 261-Rupp	SB 297-Lager
SB 262-Curls	SB 298-Holsman
SB 263-Curls	SB 299-Holsman
SB 264-Dempsey	SB 300-Holsman
SB 265-Nieves	SB 301-McKenna, et al
SB 266-Nieves	SB 302-Wasson
SB 267-Nieves	SB 303-Wasson
SB 268-Nieves	SB 304-Wasson
SB 269-Nieves	SB 305-Wasson
SB 270-Nieves	SB 306-Wasson
SB 271-Nieves	SJR 17-Nieves
SB 272-Nieves	SJR 18-Schmitt
SB 273-Wallingford	SJR 19-Lager
SB 274-Walsh	

HOUSE BILLS ON SECOND READING

THIRD READING OF SENATE BILLS

SB 12-Schaefer	SCS for SB 86-Keaveny
SCS for SB 42-Munzlinger	SCS for SB 106-Brown
SB 43-Munzlinger	SCS for SB 117-Kraus
SB 51-Munzlinger	SB 139-Kehoe

SENATE BILLS FOR PERFECTION

SB 28-Kraus	SB 197-Sater, et al
SB 121-Schaefer, with SCS	SB 182-Kehoe, et al, with SCS
SB 9-Pearce, with SCS	SB 69-Keaveny, with SCS
SB 17-Munzlinger and Romine, with SCS	SB 89-Munzlinger, with SCS
SB 110-Brown	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp	SB 41-Munzlinger
SB 21-Dixon	SB 48-Lamping
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine	SB 77-Lamping
SB 80-Romine	

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