

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SECOND DAY—MONDAY, FEBRUARY 18, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If your actions inspire others to dream more, learn more, do more and become more, you are a leader.” (John Quincy Adams)

Gracious God, on this Presidential holiday, we are mindful of our duty as we also serve the public. Let us provide the leadership that is needful and required of us. Let our words and actions be inspiring to others so that we might be a stronger and wiser state. So we need Your guidance and direction for what is right and helpful for our people. 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 for Thursday, February 14, 2013 was read and approved.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Rupp—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 311, regarding Clark Harrison, which was adopted.

Senator Kraus offered Senate Resolution No. 312, regarding Samuel Holland, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 313, regarding Slava Butkovich, Blue Springs, which was adopted.

Senator Kehoe offered Senate Resolution No. 314, regarding Ciana Lear, Jefferson City, which was adopted.

Senator Romine offered Senate Resolution No. 315, regarding the Antoine Lalumondiere Home, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 316, regarding the Bismark Depot, Saint Francois County, which was adopted.

Senator Emery offered Senate Resolution No. 317, regarding Stephanie Gruetze, which was adopted.

Senator Munzlinger offered Senate Resolution No. 318, regarding Elvis Gundy, Memphis, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Justus offered Senate Resolution No. 319, regarding the death of David Green, Northwoods, which was adopted.

Senator Schmitt offered Senate Resolution No. 320, regarding Michael Joseph Tayon, Des Peres, which was adopted.

Senator Schmitt offered Senate Resolution No. 321, regarding Thomas John Weissert, Des Peres, which was adopted.

Senator Schmitt offered Senate Resolution No. 322, regarding John Lawrence Thompson, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 323, regarding the One Hundredth Birthday of Carlos W. Chitty, Cape Girardeau, which was adopted.

Senator Dixon offered Senate Resolution No. 324, regarding Isaac Stewart Zimmerman, which was adopted.

On behalf of Senator Rupp, Senator Richard offered Senate Resolution No. 325, regarding Michael Rhoades, Wentzville, which was adopted.

Senator Brown offered Senate Resolution No. 326, regarding Bunker R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 327, regarding Centerville R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 328, regarding Crocker R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 329, regarding Dixon R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 330, regarding Green Forest R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 331, regarding Laquey R-V School District, which was adopted.

Senator Brown offered Senate Resolution No. 332, regarding Newburg R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 333, regarding Swedeborg R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 334, regarding Waynesville R-VI School District, which was adopted.

Senator Brown offered Senate Resolution No. 335, regarding Steelville R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 336, regarding Salem R-80 School District, which was adopted.

Senator Brown offered Senate Resolution No. 337, regarding Rolla 31 School District, which was adopted.

Senator Brown offered Senate Resolution No. 338, regarding Phelps County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 339, regarding Oak Hill R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 340, regarding North Wood R-IV School District, which was adopted.

INTRODUCTION OF BILLS

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

SB 332—By Libla.

An Act to repeal sections 160.045, 168.104, 168.114, 168.124, 168.126, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof six new sections relating to educator quality.

SB 333—By Silvey.

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to tax credits for qualified research expenses.

SB 334—By Sifton.

An Act to repeal section 393.190, RSMo, and to enact in lieu thereof one new section relating to approval by the public service commission for the sale or transfer of a water or sewer utility.

SB 335—By Sifton.

An Act to repeal section 386.370, RSMo, and to enact in lieu thereof one new section relating to the public service commission assessment of water and sewer corporations.

SB 336—By Walsh.

An Act to amend chapter 443, RSMo, by adding thereto twenty-four new sections relating to real estate

foreclosure, with penalty provisions.

SB 337—By Sater.

An Act to repeal sections 407.924, 407.925, 407.926, 407.927, 407.928, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof nine new sections relating to the sale of tobacco related products to minors, with penalty provisions.

SB 338—By Romine.

An Act to repeal section 217.345, RSMo, and to enact in lieu thereof one new section relating to correctional treatment programs for offenders of a certain age.

SB 339—By Romine.

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 288.040, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof ten new sections relating to workforce development programs.

SB 340—By Schmitt.

An Act to repeal section 143.790, RSMo, and to enact in lieu thereof one new section relating to taxation.

SB 341—By Schmitt.

An Act to repeal section 67.010, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

SB 342—By Parson, Brown and Munzlinger.

An Act to repeal section 348.521, RSMo, and to enact in lieu thereof one new section relating to agricultural loans.

SB 343—By Parson.

An Act to amend chapter 443, RSMo, by adding thereto one new section relating to real estate loans.

SB 344—By Parson.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to school attendance center report cards.

SB 345—By Lamping.

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

Senator Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 9

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of

Missouri extension districts.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaefer	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Kraus	Lamping	LeVota	Schaaf	Schmitt	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Lager	McKenna	Rupp—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 121**, introduced by Senator Schaefer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 121

An Act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to liquor control, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Schaefer, **SS** for **SCS** for **SB 121** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 182, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 182

An Act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof three new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS for SB 182** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Kraus Schmitt—2

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Dempsey referred **SCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 18, 2013

Senator Tom Dempsey – President Pro-Tem
State Capitol, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey:

I hereby resign from the Joint Committee on Administrative Rules. Further, I recommend for your appointment to that committee the following members of the minority caucus:

Senator Paul LeVota
Senator Scott Sifton

Thank you for your consideration.

Sincerely,
/s/ Jolie Justus
Jolie Justus

Also,

February 18, 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 Capitol Improvements and Leases Oversight.
Please feel free to contact me should you have any questions.

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

Also,

February 18, 2013

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

Dear Ms. Spieler:

I am appointing the following senators to the Joint Committee on Administrative Rules (JCAR):

- Senator Paul LeVota
- Senator Scott Sifton

Please feel free to contact me should you have any questions.

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

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Darian “D.J.” LaRue, Jefferson City; and Darian was made an honorary page.

Senator Curls introduced to the Senate, the Missouri Chapters of the Delta Sigma Theta Sorority, Inc.

Senator Schmitt introduced to the Senate, Mike and Michelle Thompson and their son, John, St. Louis; and Arlene Dunlap.

Senator Lamping introduced to the Senate, Kyle, Rita and Jordan Savage, Kansas City.

Senator Munzlinger introduced to the Senate, 2013 4-H Legislative Academy delegates Faith Arendt, Liberty; Jennifer Durbin, Monroe City; Alexander Engeman, Montrose; Jessie Fowler, Vandalia; Chris Kahlenbeck, Union; Anthony McCollum, Purdin; Benjamin Nelson, Macon; Emily Paul, Anderson; Katie Pennell, Aurora; Alyssa Rockers, Carthage; Nathan Smith, Villa Ridge; Lauren Wieberg, Argyle; and

leaders Steve Hennes and Joyce Taylor, Columbia.

Senator Nieves introduced to the Senate, Mike and Debbie Dougherty, Lake Sherwood.

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

SENATE CALENDAR

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 19, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 251-Kraus and Chappelle-Nadal	SB 277-Holsman
SB 252-Kraus	SB 278-Kehoe
SB 253-Justus	SB 279-Kehoe
SB 254-Pearce	SB 280-Wasson
SB 255-Schmitt and Schaefer	SB 281-Wasson
SB 256-Silvey	SB 282-Wasson
SB 257-Silvey	SB 283-Parson
SB 258-LeVota	SB 284-Sifton, et al
SB 259-Schaaf	SB 285-Romine
SB 260-Brown	SB 286-Romine, et al
SB 261-Rupp	SB 287-Rupp
SB 262-Curls	SB 288-Lamping
SB 263-Curls	SB 289-Sifton
SB 264-Dempsey	SB 290-Walsh
SB 265-Nieves and Cunningham	SB 291-Rupp
SB 266-Nieves	SB 292-Rupp
SB 267-Nieves	SB 293-Pearce
SB 268-Nieves	SB 294-Schmitt
SB 269-Nieves	SB 295-Lager
SB 270-Nieves	SB 296-Lager
SB 271-Nieves	SB 297-Lager
SB 272-Nieves	SB 298-Holsman
SB 273-Wallingford	SB 299-Holsman
SB 274-Walsh	SB 300-Holsman
SB 275-Walsh	SB 301-McKenna, et al
SB 276-Emery and Nieves	SB 302-Wasson

SB 303-Wasson	SB 326-McKenna
SB 304-Wasson	SB 327-Dixon
SB 305-Wasson	SB 328-Brown
SB 306-Wasson	SB 329-Brown
SB 307-Schaaf	SB 330-Wasson
SB 308-Schaaf	SB 331-Schmitt
SB 309-Schaaf	SB 332-Libla
SB 310-Nasheed	SB 333-Silvey
SB 311-Nasheed	SB 334-Sifton
SB 312-LeVota	SB 335-Sifton
SB 313-LeVota	SB 336-Walsh
SB 314-Wallingford	SB 337-Sater
SB 315-Pearce	SB 338-Romine
SB 316-Parson and Justus	SB 339-Romine
SB 317-Romine	SB 340-Schmitt
SB 318-Rupp	SB 341-Schmitt
SB 319-Rupp	SB 342-Parson, et al
SB 320-Schaefer	SB 343-Parson
SB 321-Schaefer	SB 344-Parson
SB 322-Dixon	SB 345-Lamping
SB 323-Dixon	SJR 17-Nieves
SB 324-Wallingford	SJR 18-Schmitt
SB 325-Nieves	SJR 19-Lager

HOUSE BILLS ON SECOND READING

HCS for HB 87
HCS for HJRs 5 & 12

HCS for HBs 256, 33 & 305
HCS for HBs 48 & 216

SENATE BILLS FOR PERFECTION

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| 1. SB 69-Keaveny, with SCS | 9. SB 45-Dixon, with SCS |
| 2. SB 89-Munzlinger, with SCS | 10. SB 29-Brown, with SCS |
| 3. SB 59-Rupp | 11. SB 138-Kraus |
| 4. SB 34-Cunningham | 12. SB 127-Sater |
| 5. SB 24-Parson | 13. SB 88-Schaaf, with SCS |
| 6. SB 75-Brown | 14. SBs 176 & 192-Schmitt, et al, with SCS |
| 7. SB 101-Wasson, with SCS | 15. SB 100-Keaveny |
| 8. SB 16-Munzlinger | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp
SB 21-Dixon
SB 22-Dixon

SB 41-Munzlinger
SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/14

SB 60-Rupp

SB 23-Parson

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