

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-NINTH DAY—TUESDAY, MARCH 26, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Lord, give them the ability to work for what is necessary to keep the peace and let them exercise care, lest their laws become impossible burdens.” (Martin Luther’s legislative prayer)

Almighty God, we pray that You will help these men and women to fashion and shape laws that will encourage the people to live in harmony and may they create legislation that provides governing with strength and power tempered by justice. Inspire them with wisdom to write laws with integrity that promotes goodwill among all citizens. 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.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

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 Schaaf offered Senate Resolution No. 558, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard “Rick” Roberts, Agency, which was adopted.

Senator Schaaf offered Senate Resolution No. 559, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Kendall, St. Joseph, which was adopted.

Senator Schaefer offered Senate Resolution No. 560, regarding Nicolas T. Moser, which was adopted.

Senator Sater offered Senate Resolution No. 561, regarding Jean Cantwell, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 562, regarding Ruth Whitley, which was adopted.

Senator Sater offered Senate Resolution No. 563, regarding Alex Cullins, which was adopted.

Senator Sater offered Senate Resolution No. 564, regarding the 2012-2013 state champion Crane High School girls basketball program, which was adopted.

Senator Sater offered Senate Resolution No. 565, regarding Travis Ely Brown, Anderson, which was adopted.

Senator Sater offered Senate Resolution No. 566, regarding the One Hundredth Anniversary of the Powersite Post Office, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 116**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SB 72, introduced by Senator Schaefer, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of motorcycle awareness month.

Was taken up.

On motion of Senator Schaefer, **SB 72** was read the 3rd time and passed by the following vote:

YEAS—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						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SJR 14**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SJR 14**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 14

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

Was taken up.

Senator Schaefer moved that **SCS** for **SJR 14** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 14, Page 1, Section 23, Line 7, by inserting at the end of said line the following: “**Nothing in this section shall be construed to prevent the regulation or prohibition of the use of firearms in criminal activity.**”.

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

At the request of Senator Schaefer, **SJR 14**, with **SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

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

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SJR 14**, with **SCS** (pending), be called from the Informal Calendar and

again taken up for perfection, which motion prevailed.

SCS for **SJR 14** was again taken up.

Senator Schaefer moved that **SCS** for **SJR 14** be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Schaefer, **SCS** for **SJR 14** was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 26, 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 W. Maupin, Republican, 567 North Spoede Road, Creve Coeur, Saint Louis County, Missouri 63141, as a member and Secretary of the St. Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Julie Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointment to the Committee on Gubernatorial Appointments.

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, after examination of **SB 342**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 303**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 304**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 370**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 170**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 245**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 327**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 116** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator McKenna offered Senate Resolution No. 567, regarding Thomas J. Ackfeld, High Ridge, which was adopted.

Senator McKenna offered Senate Resolution No. 568, regarding Chris and Linda Hagan, Festus, which was adopted.

Senator Justus offered Senate Resolution No. 569, regarding the National Churchill Museum, Fulton, which was adopted.

Senator Justus offered Senate Resolution No. 570, regarding Corrections Officer I George Worley, which was adopted.

Senator Cunningham offered Senate Resolution No. 571, regarding Herbert L. "Dock" Frazee, Mountain Grove, which was adopted.

Senator Cunningham offered Senate Resolution No. 572, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Neal Collins, Dora, which was adopted.

Senator Brown offered Senate Resolution No. 573, regarding Paula Volkmer, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 574, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Hollingsworth, Gravois Mills, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, President Chuck Ambrose and Hank Setser, representatives of University of Central Missouri, Warrensburg.

Senator Pearce introduced to the Senate, Mayor Justin W. Stephan, Appleton City; Taylor Elwell, Leeton; and former State Representative Gene Lang, Warrensburg.

Senator Holsman introduced to the Senate, Andrea Flinders, Kansas City.

Senator Kehoe introduced to the Senate, National American Missouri Miss, Kelsey Parrott, Jamestown.

Senator Dixon introduced to the Senate, President Paige Oxendine and forty-one students, representatives of Missouri State University Student Government Association, Springfield.

On behalf of Senators Sifton, Cunningham, Richard and himself, Senator Dixon introduced to the Senate, Lauren Bansbach, Amber Carr, Anthony Hendrix and Scott Turk, Citizen Scholar Award Recipients from Missouri State University, Springfield.

On behalf of Senator Libla and himself, Senator Wallingford introduced to the Senate, Gary Murphy, BJ Campbell, Alex Clark, Chris Berry, Sonny Martin and Tiffany Puritt, representatives of Missouri Rice Council.

Senator Emery introduced to the Senate, National American Miss Missouri Teen, Samantha Bowers, Harrisonville.

Senator Cunningham introduced to the Senate, National American Miss Missouri Princess, Katelynn Smith, Seymour.

Senator Brown introduced to the Senate, National American Miss Missouri Junior Teen, Sydne Arthur, Rolla; and National American Miss Missouri Junior Pre-Teen, Sofia Kelly, Cuba.

On behalf of Senator Kehoe, the President introduced to the Senate, Ms. Rachel Muenks, Ms. Brenda Raymer, parents and forty-five fourth grade students from St. Peter's Interparish Elementary School, Jefferson City.

Senator Wallingford introduced to the Senate, Ethan McMillan and his parents, Heather and Brian, Cape Girardeau; and Ethan was made an honorary page.

Senator Munzlinger introduced to the Senate, Colton DeVore and his family, Clarence.

Senator Schmitt introduced to the Senate, Shawn and Rachel McKillop and their daughter, Kiera and Caroline Depue, Valley Park; and Tom and Diane Lawrence, Ballwin; and Kiera was made an honorary page.

Senator Kraus introduced to the Senate, Stuart Quackenbush and his son, Archimedes, Eastern Jackson County, and Archimedes was made an honorary page.

On behalf of Senator Schaaf, the President introduced to the Senate, Dick and Wanda Anderson, DeKalb.

Senator Brown introduced to the Senate, Boy Scout Troop 434 and Club Scout Pack 434, Rolla and St. James.

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

SENATE CALENDAR

FORTIETH DAY—WEDNESDAY, MARCH 27, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al
HJR 16-McCaherty, et al
HJR 4-Neth, et al
HCS for HB 473
HCS for HB 117

HCS for HB 457
HB 409-Love and Remole
HB 64-Burlison, et al
HB 85-Kelley (127), et al
HCS for HB 233

THIRD READING OF SENATE BILLS

SS for SCS for SB 116-Kraus
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 35-Wallingford
2. SB 178-Schaaf, with SCS
3. SB 186-Brown, with SCS
4. SB 230-Brown, et al
5. SB 252-Kraus
6. SB 222-Lamping
7. SB 350-Dempsey
8. SB 147-Wasson, with SCS
9. SB 161-Pearce
10. SB 262-Curls
11. SB 211-Rupp
12. SB 258-LeVota, with SCS
13. SB 242-Kehoe

14. SB 257-Silvey and Justus
15. SB 83-Parson, with SCS
16. SB 112-Rupp and Richard
17. SB 265-Nieves and Cunningham
18. SB 2-Rupp, with SCS
19. SB 82-Schaefer, with SCS
20. SB 254-Pearce, with SCS
21. SB 142-Sifton
22. SB 126-Sater, with SCS
23. SB 261-Rupp
24. SB 229-Brown, with SCS
25. SB 87-Schaaf, with SCS

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping

SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 207-Kehoe, et al, with SCS
SB 292-Rupp

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS
SB 324-Wallingford, with SCS
SB 248-Wasson, with SCS
SB 329-Brown
SB 302-Wasson, with SCS
SB 305-Wasson, with SCS
SB 306-Wasson

SB 330-Wasson
SB 235-Cunningham
SBs 289 & 314-Sifton, with SCS
SB 188-Romine
SB 66-Dixon
SB 376-Sater, with SCS

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