

Journal of the Senate

FIRST REGULAR SESSION

FORTY-EIGHTH DAY—THURSDAY, APRIL 11, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“You show me the path of life. In your presence there is fullness of you; in your right hands are pleasures forevermore.” (Psalm 16:11)

Creator God, in our daily lives we experience You and know life and the fullness of Your joy. As we finish our work this day and return to our loved ones, make us mindful of the gifts they are in our lives and the completeness they bring to them. 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 Chappelle-Nadal offered Senate Resolution No. 693, regarding Pearl Kramer, University City, which was adopted.

Senator Schaefer offered Senate Resolution No. 694, regarding Walter L. “Wally” Pfeffer, II, which was adopted.

Senators Pearce and LeVota offered Senate Resolution No. 695, regarding the death of Harold Hollingsworth, which was adopted.

Senator McKenna offered Senate Resolution No. 696, regarding the Fiftieth Anniversary of Jefferson College, Hillsboro, which was adopted.

Senator Cunningham offered Senate Resolution No. 697, regarding the One Hundredth Anniversary of Cabool State Bank, which was adopted.

Senator Cunningham offered Senate Resolution No. 698, regarding Willow Springs High School, which was adopted.

Senator Cunningham offered Senate Resolution No. 699, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Patrick McFarland, West Plains, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Mariea Snell, as a member of the Missouri State Board of Nursing;

Also,

Michael L. Hodges, as a member of the Interior Design Council;

Also,

Brian C. Maddux, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Forrest Miller Jr., Republican, as a member of the Missouri Community Service Commission; and

Archie Camden, Democrat, as a member of the State Board of Embalmers and Funeral Directors.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Kinder assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for SB 87, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 87**

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS for SB 87** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Romine	Rupp	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators

Cunningham	Richard	Sater	Wasson—4
------------	---------	-------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 275, introduced by Senator Walsh, entitled:

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utility regulation, with existing penalty provisions.

Was taken up.

On motion of Senator Walsh, **SB 275** 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

Senator Schaaf assumed the Chair.

The President declared the bill passed.

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

Senator Walsh 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 **SB 357**, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 357

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

Was taken up.

On motion of Senator Romine, **SS** for **SB 357** 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 Romine, title to the bill was agreed to.

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

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

SB 99, introduced by Senator Keaveny, entitled:

An Act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof three new sections relating to public administrators.

Was taken up.

On motion of Senator Keaveny, **SB 99** 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 Keaveny, title to the bill was agreed to.

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

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

SB 342, introduced by Senator Parson, et al, entitled:

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

Was taken up by Senator Parson.

On motion of Senator Parson, **SB 342** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford—27					

NAYS—Senators

Cunningham	Lamping	LeVota	Nieves	Richard	Walsh	Wasson—7
------------	---------	--------	--------	---------	-------	----------

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 257, introduced by Senators Silvey and Justus, entitled:

An Act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SB 257** 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 Silvey, title to the bill was agreed to.

Senator Silvey 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 SB 267, introduced by Senator Nieves, entitled:

SENATE SUBSTITUTE FOR

SENATE BILL NO. 267

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

Was taken up.

On motion of Senator Nieves, **SS for SB 267** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
-----------------	-------	--------	---------	--------	---------	---------	--------

Walsh—9

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

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 403**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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 **SS** for **SCS** for **SB 373**; **SB 327**; **SB 304**; **SB 303**; **SS** for **SB 251**; **SS** for **SB 245**; **SB 170**; **SCS** for **SB 118**; **SB 67**; and **SB 57**, 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.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 251** and **SS** for **SCS** for **SB 373** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON SECOND READING

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

HB 152—Education.

HB 581—Transportation and Infrastructure.

HCS for **HB 169**—Seniors, Families and Pensions.

HB 316—Appropriations.

HCS for **HB 168**—Veterans' Affairs and Health.

HCS for **HBs 446** and **211**—Financial and Governmental Organizations and Elections.

HCS for **HB 315**—Small Business, Insurance and Industry.

HCS for HB 46—General Laws.

HCS for HB 134—Education.

HB 42—General Laws.

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, Megan Pfannenstiel, Judge Joe Locashio, Marty Means and Judge Ardie Bland, Kansas City.

Senator Wallingford introduced to the Senate, fourth grade students from Alma Schrader Elementary School, Cape Girardeau.

On behalf of Senator Libla and himself, the President introduced to the Senate, Butler County Prosecuting Attorney Russ Oliver.

Senator Wallingford introduced to the Senate, Crystal Richey and eleven fourth grade students from Cape Christian School, Cape Girardeau.

Senator Chappelle-Nadal introduced to the Senate, representatives from the University of Missouri-St. Louis.

Senator Pearce introduced to the Senate, Betsy Marshall and students from Richmond R-XVI School.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, April 15, 2013.

SENATE CALENDAR

FORTY-NINTH DAY—MONDAY, APRIL 15, 2013

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 112-Rupp and Richard
(In Fiscal Oversight) | 7. SB 327-Dixon |
| 2. SS for SCS for SB 159-Schmitt
(In Fiscal Oversight) | 8. SB 304-Wasson |
| 3. SCS for SB 297-Lager (In Fiscal Oversight) | 9. SB 303-Wasson |
| 4. SCS for SB 381-Kraus (In Fiscal Oversight) | 10. SS for SB 251-Kraus (In Fiscal Oversight) |
| 5. SS for SB 252-Kraus (In Fiscal Oversight) | 11. SS for SB 245-Justus |
| 6. SS for SCS for SB 373-Munzlinger
(In Fiscal Oversight) | 12. SB 170-Chappelle-Nadal |
| | 13. SCS for SB 118-Kraus |
| | 14. SB 67-Dixon |
| | 15. SB 57-Romine |

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 291-Rupp | 16. SB 455-Nieves, with SCS |
| 2. SB 231-Munzlinger | 17. SB 167-Sater and Wallingford, with SCS |
| 3. SB 226-Schaefer, with SCS | 18. SB 343-Parson |
| 4. SB 282-Wasson | 19. SB 250-Schaaf, with SCS |
| 5. SB 366-Lamping, et al | 20. SB 175-Wallingford |
| 6. SB 205-Sater | 21. SB 285-Romine |
| 7. SB 256-Silvey, with SCS | 22. SB 339-Romine |
| 8. SB 432-Cunningham, with SCS | 23. SB 174-Parson, with SCS |
| 9. SBs 317 & 319-Romine, with SCS | 24. SB 441-Dempsey |
| 10. SB 401-Rupp | 25. SJR 2-Lager |
| 11. SB 396-Holsman and Chappelle-Nadal,
with SCS | 26. SB 315-Pearce |
| 12. SB 378-Pearce, with SCS | 27. SB 419-Lager, with SCS |
| 13. SB 410-Kehoe | 28. SB 411-Kehoe, with SCS |
| 14. SB 133-Keaveny and Holsman, with SCS | 29. SB 141-Dempsey |
| 15. SB 210-Lamping and Nieves, with SCS | 30. SB 403-Rupp, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 82-Schaefer, with SCS |
| SB 13-Schaefer, with SCS | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 48-Lamping | SB 292-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | SB 364-Parson |
| SB 65-Dixon, with SCS | |

HOUSE BILLS ON THIRD READING

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

✓