

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 29, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk with wisdom towards those that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Gracious Lord, as we begin a new week let us be mindful to always use our heads as we deal with one another. Let our conversations and behavior always be pleasant, gracious and winsome filled with kindness and even handedness. And may our decisions always be helpful and effective as we vote on bills presented to us this week. 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, April 25, 2013 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 Sifton offered Senate Resolution No. 817, regarding Geri Zimmerman, Saint Louis, which was

adopted.

Senator LeVota offered Senate Resolution No. 818, regarding Jacob Daniel Lockhart, Raytown, which was adopted.

Senator LeVota offered Senate Resolution No. 819, regarding Logan Black, which was adopted.

Senator Nasheed offered Senate Resolution No. 820, regarding Michael Triplett, PhD, which was adopted.

Senator Cunningham offered Senate Resolution No. 821, regarding the One Hundred Fifth Birthday of Neacie Vitula Reeves Davis, Ripley County, which was adopted.

Senator Cunningham offered Senate Resolution No. 822, regarding Reverend Gerald Bounds, Thayer, which was adopted.

Senator Cunningham offered Senate Resolution No. 823, regarding the 130th Anniversary of the West Plains Bank and Trust Company, which was adopted.

Senator Lager offered Senate Resolution No. 824, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Herb Derks, King City, which was adopted.

Senator Pearce offered Senate Resolution No. 825, regarding Taiylor Llewellyn, which was adopted.

Senator Lamping offered Senate Resolution No. 826, regarding Marissa Brady, which was adopted.

Senator Justus offered Senate Resolution No. 827, regarding the Callaway County Public Water Supply District 2, which was adopted.

Senator Schaefer offered Senate Resolution No. 828, regarding the death of Shelley Lorraine White-Horsley, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 829, regarding Nita D. Mihlfeld, which was adopted.

Senator Brown offered Senate Resolution No. 830, regarding Davita J. Smith, which was adopted.

Senator Brown offered Senate Resolution No. 831, regarding Kim R. Nash, which was adopted.

Senator Cunningham offered Senate Resolution No. 832, regarding Rayanna Bailey, which was adopted.

Senator LeVota offered Senate Resolution No. 833, regarding William Jefferson “Bill” Clinton, 42nd President of the United States, which was adopted.

Senator Silvey offered Senate Resolution No. 834, regarding Jacob Shipley, which was adopted.

Senator Parson offered Senate Resolution No. 835, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Crites, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 836, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Recla, Dunnegan, which was adopted.

Senator Lager offered Senate Resolution No. 837, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Fred Schieber, Ravenwood, which was adopted.

Senator Lager offered Senate Resolution No. 838, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Merlin Atkins, Maryville, which was adopted.

Senator Sifton offered Senate Resolution No. 839, regarding Ryan Horn, St. Louis, which was adopted.

CONCURRENT RESOLUTIONS

Senator Romine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the easily extracted, high purity lead ore in Missouri was a critical reason for the early development of Missouri and has provided good jobs, a way of life, and significant economic development to Missourians for centuries; and

WHEREAS, the lead industry in Missouri is the only primary, domestic source for that strategic material in America; and

WHEREAS, new technology now makes production of primary lead metal a safe, cost effective, and valuable means of continuing to provide a strategic material for numerous uses including munitions, protective barriers for x-rays, radioactive fallout, and radioactive contamination, and batteries for numerous uses including cars, trucks, electric vehicles, renewable energy storage, and peaking power reduction; and

WHEREAS, encouraging a safe, healthy, and lucrative lead industry in Missouri will give rise to good paying jobs, significant economic development, and the resources to mitigate the legacy of environmental issues caused by lead extraction:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force; and

BE IT FURTHER RESOLVED that the mission of task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The effects of a prompt environmental settlement giving rise to efficient and cost effective remediation;
- (2) Ways to promote the development of a clean lead industry;
- (3) Clean lead industry legislative proposals including rules and regulations necessary for implementation;
- (4) The economic potential of implementing clean lead industry policies; and

BE IT FURTHER RESOLVED that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the task force shall consist of all of the following members:

- (1) The Governor, or his or her designee, to serve as the chair of the task force; and
- (2) One member of the general assembly of the majority party appointed by the president pro tem of the senate, to serve as the vice-chair of the task force; and
- (3) One member of the general assembly of the majority party appointed by the speaker of the house of representatives, to serve as the secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) The Attorney General, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (5) The Director of the Department of Natural Resources, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (6) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate; and
- (7) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives; and

- (8) A representative of industry appointed by the president pro tem of the senate; and
- (9) A representative of industry appointed by the speaker of the house of representatives; and

BE IT FURTHER RESOLVED that the staff of Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the committee shall receive reimbursement for

their actual and necessary expenses incurred in attending meetings of the committee; and

BE IT FURTHER RESOLVED that the chair or vice-chair of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED that the task force shall terminate by either a majority of members voting for termination, or by February 1, 2014, whichever occurs first; and

BE IT FURTHER RESOLVED that on the date of termination, the task force shall deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and the Director of the Department of Natural Resources.

HOUSE BILLS ON THIRD READING

HB 34, introduced by Representative Guernsey, entitled:

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof two new sections relating to maintenance, and wages for work done on behalf of a school.

Was taken up by Senator Brown.

Senator Brown offered **SS** for **HB 34**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 34

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

Senator Brown moved that **SS** for **HB 34** be adopted.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 34, Page 1, Section 290.210, Line 19, by striking the opening and closing brackets and all of the underlined language on said line; and further amend said section, page 2, lines 1-3, by striking all of the opening and closing brackets and underlined words on said lines; and further amend line 24 by striking the second opening bracket on said line; and further amend line 26 by striking the closing bracket on said line; and further amend lines 27-28 by striking all of said lines, and further amend said section, page 3, lines 1-5 by striking all of said lines; and further amend line 10, by striking the opening bracket on said line; and further amend line 11, by striking the closing bracket on said line; and further amend said section, page 4, line 2, by striking the opening bracket on said line; and further amend line 3, by striking the closing bracket on said line; and further amend lines 26-27, by striking all of said lines; and further renumber the remaining subdivision accordingly; and further amend line 28, by inserting immediately after said line, the following:

“290.260. 1. The department, as it deems necessary, shall from time to time investigate and determine the prevailing hourly rate of wages **for heavy and highway construction work** in the localities. **In doing**

so, the department shall accept and consider information regarding local wage rates that is submitted in either paper or electronic formats. A determination applicable to every locality to be contained in a general wage order shall be made annually on or before July first of each year for the Missouri state highways and transportation commission and shall remain in effect until superseded by a new general wage order. In determining prevailing rates, the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, and the rates that are paid generally within the locality.

2. A certified copy of the determination so made shall be filed immediately with the secretary of state and with the department in Jefferson City. Copies shall be supplied by the department to all persons requesting them within ten days after the filing.

3. At any time within thirty days after the certified copies of the determinations have been filed with the secretary of state and the department, any person who is affected thereby may object in writing to the determination or the part thereof that he deems objectionable by filing a written notice with the department, stating the specific grounds of the objection.

4. Within thirty days of the receipt of the objection, the department shall set a date for a hearing on the objection. The date for the hearing shall be within sixty days of the receipt of the objection. Written notice of the time and place of the hearing shall be given to the objectors at least ten days prior to the date set for the hearing.

5. The department at its discretion may hear each written objection separately or consolidate for hearing any two or more written objections. At the hearing the department shall first introduce in evidence the investigation it instituted and the other facts which were considered at the time of the original determination which formed the basis for its determination. The department, or the objector, or any interested party, thereafter may introduce any evidence that is material to the issues.

6. Within twenty days of the conclusion of the hearing, the department must rule on the written objection and make the final determination that it believes the evidence warrants. Immediately, the department shall file a certified copy of its final determination with the secretary of state and with the department and shall serve a copy of the final determination on all parties to the proceedings by personal service or by registered mail.

7. This final decision of the department of the prevailing wages in the locality is subject to review in accordance with the provisions of chapter 536. Any person affected, whether or not the person participated in the proceedings resulting in the final determination, may have the decision of the department reviewed. The filing of the final determination with the secretary of state shall be considered a service of the final determination on persons not participating in the administrative proceedings resulting in the final determination.

8. At any time before trial any person affected by the final determination of the department may intervene in the proceedings to review under chapter 536 and be made a party to the proceedings.

9. All proceedings in any court affecting a determination of the department under the provisions of sections 290.210 to 290.340 shall have priority in hearing and determination over all other civil proceedings pending in the court, except election contests.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted.

Senator Brown offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for House Bill No. 34, Page 1, Lines 11-15, by striking all of said lines, and inserting in lieu thereof, the following: “striking the opening bracket on said line; and further amend said line, by inserting an opening bracket immediately before the word “by”; and further amend said section, page 4, line 2, by striking the opening bracket on said line; and further amend said line, by inserting an opening bracket immediately before the word “to”; and further amend lines 26-27, by”.

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

SA 1, as amended, was again taken up.

Senator McKenna moved that **SA 1**, as amended, be adopted, which motion failed on a standing division vote.

Senator Schaaf assumed the Chair.

At the request of Senator Brown, **HB 34**, with **SS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 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:

Keith G. Hankins, Republican, 1131 North State Highway 39, Stockton, Dade County, Missouri 65785, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2016, and until his successor is duly appointed and qualified; vice, Charles Surface, deceased.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 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:

Edna McDaniel, 5713 Hamilton Avenue, Jennings, Saint Louis County, Missouri 63136, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2015, and until her successor is duly appointed and qualified; vice, Christopher Manhart, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 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:

Frank Meyer, 4355 Maryland Avenue Apartment 211, Saint Louis City, Missouri 63108, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2016, and until his successor is duly appointed and qualified; vice, RSMo 208.856.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 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:

Glenn M. McCumber, Republican, 4 Barbara Court, Noel, McDonald County, Missouri 64854, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2018, and until his successor is duly appointed and qualified; vice, Nancy D. Perry, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

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

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2**, **SA 4** and **SA 5** to **HB 163** and has taken up and passed **HB 163**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 76**, entitled:

An Act to repeal sections 161.209 and 163.410, RSMo, and to enact in lieu thereof two new sections relating to Missouri school improvement program standards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 344**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 387**, entitled:

An Act to repeal sections 190.100, 334.104, and 334.735, RSMo, and to enact in lieu thereof four new sections relating to physician assistants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 415**, entitled:

An Act to repeal section 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute for senate bill no. 568, merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, and section 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no.

480, ninety-sixth general assembly, second regular session, and sections 227.303, 301.130, 301.134, 301.144, 301.145, 301.216, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.475, 301.477, 301.481, 301.562, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3167, and 301.3169, RSMo, and to enact in lieu thereof one hundred twenty-one new sections relating to transportation, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 348**, entitled:

An Act to repeal sections 52.010, 54.040, 54.330, 78.090, 115.003, 115.005, 115.007, 115.135, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.601, 115.607, 162.481, 162.492, 247.060, and 247.080, RSMo, and to enact in lieu thereof twenty-eight new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 543**, entitled:

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.1030, 56.809, 70.605, 103.025, 104.190, 104.480, and 169.020, RSMo, and to enact in lieu thereof twenty new sections relating to the state auditor's office responsibilities, duties, and enforcement, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 372**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to business premises

safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 541**, entitled:

An Act to repeal sections 211.071, 211.073, and 565.020, RSMo, and to enact in lieu thereof three new sections relating to juvenile offenders, with an emergency clause and penalty provisions.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 161**, entitled:

An Act to repeal sections 50.622, 64.170, 64.205, 67.463, 67.469, 71.012, 71.014, 71.015, 72.401, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 238.272, 321.017, 321.320, and 321.690, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 1** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 3** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 5** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 7**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 11**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 12** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 589**, entitled:

An Act to repeal sections 43.650, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 339.100, 375.1312, 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, 527.290, 556.036, 556.037, 556.061, 558.018, 558.026, 559.115, 559.117, 566.020, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.093, 566.095, 566.100, 566.212, 566.224, 566.226, 568.060, 589.015, 589.400, 589.402, 589.403, 589.405, 589.407, 589.410, 589.414, 590.700, and 632.480, RSMo, and to enact in lieu thereof seventy-eight new sections relating to sex offender registration and classification, with penalty provisions, an emergency clause and effective date for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 78**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri Jobs for Education Program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 287**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to recede from its position on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and grant the House a conference thereon, 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 **HB 346**, 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 **HB 331**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Justus, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS for HB 194**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 307**, 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 Jobs, Economic Development and Local Government, to which was referred **HCS for HB 656**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 316**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS for HBs 446 and 211**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 478**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HBs 374 and 434**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 215**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 400**, begs leave to report that it has considered the same and recommends that the bill 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 **HB 274**, 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 Veterans' Affairs and Health, to which was referred **HCS for HB 168**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HJR**s **11** and **7**, as amended: Senators Parson, Munzlinger, Brown, Justus and Sifton.

HOUSE BILLS ON THIRD READING

HB 133, introduced by Representative Gosen, et al, entitled:

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **HB 133** 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 Rupp, title to the bill was agreed to.

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

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

At the request of Senator Lager, **HB 432**, with **SCS**, was placed on the Informal Calendar.

REFERRALS

President Pro Tem Dempsey referred **HCS No. 2** for **HB 698**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

At the request of Senator Parson, **HB 184** was placed on the Informal Calendar.

HCS for **HB 436**, with **SCS**, entitled:

An Act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof fourteen new sections relating to firearms, with a penalty provision.

Was taken up by Senator Nieves.

SCS for **HCS** for **HB 436**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 436

An Act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with a penalty provision.

Was taken up.

Senator Nieves moved that **SCS** for **HCS** for **HB 436** be adopted.

At the request of Senator Nieves, **HCS** for **HB 436**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Brown moved that **HB 34**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 34** was again taken up.

At the request of Senator Brown, **SS** for **HB 34** was withdrawn.

Senator Brown offered **SS No. 2** for **HB 34**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 34

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.

Senator Brown moved that **SS No. 2** for **HB 34** be adopted, which motion prevailed.

On motion of Senator Brown, **SS No. 2** for **HB 34** 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 Schmitt Silvey Wallingford Wasson—23

NAYS—Senators

Chappelle-Nadal Curls Holsman Justus Keaveny LeVota McKenna Nasheed
Sifton Walsh—10

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, David, Robin and Amber Marlin, Conway; and Amber was made an honorary page.

Senator Nieves introduced to the Senate, Corey Kraft, St. Albans.

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

SENATE CALENDAR

FIFTY-NINTH DAY—TUESDAY, APRIL 30, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HB 601

HCS for HB 881

HCS for HB 275

HCS for HB 76

HCS for HB 344

HCS for HB 387

HCS for HB 415

HCS for HB 348

HCS for HB 543
HCS for HB 372
HCS for HB 541

HCS for HB 161
HCS for HB 589
HCS for HB 78

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)
SS for SB 401-Rupp (In Fiscal Oversight)

SS for SCS for SB 437-Pearce
SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 30-Brown, with SCS
SB 325-Nieves
SB 78-Lamping, with SCS

SB 375-Nieves, with SCS
SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager)
(In Fiscal Oversight)
2. HCS#2 for HB 698, with SCS (Schmitt)
(In Fiscal Oversight)
3. HB 542-Love, et al, with SCS (Munzlinger)
4. HB 329-Dugger and Crawford, with SCS
(Cunningham)
5. HCS for HBs 256, 33 & 305 (Kehoe)
6. HB 346-Molendorp
7. HB 331-Miller and Funderburk (Emery)
8. HCS for HB 194 (Parson)

9. HB 307-Riddle, et al, with SCS (Schmitt)
10. HCS for HB 656
11. HB 316-Phillips, et al (Sater)
12. HCS for HBs 446 & 211 (Cunningham)
13. HB 478-Wieland, et al (Romine)
14. HCS for HBs 374 & 434, with SCS
(Dixon)
15. HCS for HB 215, with SCS (Dixon)
16. HB 400-Riddle, et al
17. HB 274-Brattin, et al, with SCS
18. HCS for HB 168 (Kraus)

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 53-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS	SB 308-Schaaf
SB 109-Brown, with SCS	SB 315-Pearce
SB 133-Keaveny and Holsman, with SCS & SA 1 (pending)	SB 339-Romine
SB 141-Dempsey	SB 343-Parson
SB 167-Sater and Wallingford, with SCS	SB 364-Parson
SB 174-Parson, with SCS	SB 371-Munzlinger, with SCS
SB 175-Wallingford	SB 377-Dixon
SB 207-Kehoe, et al, with SCS	SB 383-Wallingford
SB 210-Lamping and Nieves, with SCS	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 231-Munzlinger, with SA 1 (pending)	SB 403-Rupp, with SCS
SB 239-Emery, with SCS & SA 2 (pending)	SB 410-Kehoe
SB 250-Schaaf, with SCS	SB 419-Lager, with SCS
SB 259-Schaaf, with SCS	SB 423-Nasheed
SB 272-Nieves, with SA 2 (pending)	SB 441-Dempsey
SB 285-Romine	SB 448-Schmitt and Keaveny
SB 291-Rupp	SB 455-Nieves, with SCS
SB 292-Rupp	SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HCS for HB 199 (Lamping)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 432-Funderburk, et al, with SCS (Lager)
HB 112-Burlison (Brown)	HCS for HB 436, with SCS (pending) (Nieves)
HB 184-Cox, et al (Parson)	HCS for HB 457, with SCS (Rupp)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)
HB 498-Jones (50), et al, with SCS (Sifton)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HJR 11 & 7, with SS, as amended
(Parson)

Requests to Recede or Grant Conference

HCS for HB 1, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 2, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 3, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 4, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 5, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 6, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 7, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 8, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 9, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 10, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

HCS for HB 11, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 12, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

HCS for HB 13, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

RESOLUTIONS

To be Referred

SCR 15-Romine

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