

# Journal of the Senate

SECOND REGULAR SESSION

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**SEVENTEENTH DAY—THURSDAY, FEBRUARY 6, 2014**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the wise also hear and gain in learning, and the discerning acquire skill.” (Proverbs 1:5)

Gracious God, it has been a week to accomplish many things, people to listen to and items to discern and for that we are grateful. Now we finish up a few things and head home to loved ones to our time with them. Be with us during our travel and bring us safely home. Help us to be open to Your teachings and rejoice in Your presence with those we love. 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The Lieutenant Governor was present.

## RESOLUTIONS

Senator LeVota offered Senate Resolution No. 1276, regarding the death of Sharon Rose Keith, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 1277, regarding the One Hundred Seventy-fifth Anniversary of University of Missouri, which was adopted.

### **INTRODUCTION OF BILLS**

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

**SB 832**—By Walsh.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

**SB 833**—By Walsh.

An Act to amend chapters 375 and 379, RSMo, by adding thereto two new sections relating to homeowner's insurance.

**SB 834**—By Walsh.

An Act to repeal sections 290.210 and 290.230, RSMo, and to enact in lieu thereof two new sections relating to bidding for public works projects.

**SB 835**—By Munzlinger.

An Act to repeal sections 50.333 and 57.280, RSMo, and to enact in lieu thereof two new sections relating to compensation for county sheriffs.

**SB 836**—By Munzlinger.

An Act to authorize the governor to convey property owned by the state.

**SB 837**—By Sifton.

An Act to repeal section 415.415, RSMo, and to enact in lieu thereof one new section relating to self-service storage facilities.

**SB 838**—By Emery.

An Act to amend chapter 135, RSMo, by adding thereto seven new sections relating to scholarships for eligible students to attend certain nonpublic schools.

**SB 839**—By Sater.

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to the eminent domain power of utilities.

**SB 840**—By Pearce.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the use of electronic wireless communications devices while operating a motor vehicle, with existing penalty provisions.

**SB 841**—By Wasson.

An Act to repeal sections 191.775, 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 alternative nicotine or vapor

products, with penalty provisions.

**SB 842**—By Parson.

An Act to repeal section 142.941, RSMo, and to enact in lieu thereof one new section relating to diesel fuel inspections.

**SB 843**—By Schaefer.

An Act to repeal sections 610.010, 610.020, 610.021, 610.022, 610.023, 610.024, 610.026, and 610.027, RSMo, and to enact in lieu thereof eight new sections relating to public records and meetings, with existing penalty provisions.

**THIRD READING OF SENATE BILLS**

**SB 506**, introduced by Senator Munzlinger, entitled:

An Act to repeal section 277.040, RSMo, and to enact in lieu thereof one new section relating to agriculture.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 506** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Kehoe assumed the Chair.

**SB 591**, introduced by Senator Sater, entitled:

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 591** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

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

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

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

**SB 630**, with **SCS**, introduced by Senator Wallingford, entitled:

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 630**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 630

An Act to repeal sections 115.124 and 115.395, RSMo, and to enact in lieu thereof two new sections relating to the process for establishing candidate names on ballots, with an emergency clause.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 630** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 630** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

|          |                 |            |        |             |         |           |         |
|----------|-----------------|------------|--------|-------------|---------|-----------|---------|
| Brown    | Chappelle-Nadal | Cunningham | Curls  | Dempsey     | Dixon   | Emery     | Holsman |
| Justus   | Keaveny         | Kehoe      | Kraus  | Lager       | Lamping | LeVota    | Libla   |
| Nasheed  | Nieves          | Parson     | Pearce | Richard     | Romine  | Sater     | Schaaf  |
| Schaefer | Schmitt         | Sifton     | Silvey | Wallingford | Walsh   | Wasson—31 |         |

NAYS—Senators—None

Absent—Senator Munzlinger—1

Absent with leave—Senator Rupp—1

Vacancies—1

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

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

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

**SB 639**, with **SCS**, introduced by Senator Brown, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammography reports containing information regarding breast density.

Was called from the Consent Calendar and taken up.

**SCS** for **SB 639**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 639

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mammography reports containing information regarding breast density.

Was taken up.

Senator Brown moved that **SCS** for **SB 639** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 639** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

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.

### **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, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John Michael Downing, as Director of the Department of Economic Development;

Also,

Nia V. Ray, as Director of the Division of Employment Security;

Also,

Nicole L. Loethen, as a member of the Missouri Quality Home Care Council;

Also,

Marilynn J. Bradford, Independent, as a member of the Conservation Commission;

Also,

Joseph L. Driskill and John A. Martin, Democrats, and O. Victor Lenz Jr., Republican, as members of the State Board of Education;

Also,

Michael Kilgore, as a member of the Kansas City Board of Police Commissioners;

Also,

Douglas R. Kennedy, Democrat, as a member of the Coordinating Board for Higher Education;

Also,

Harry Riley Bock, Democrat, as a member of the Public Defender Commission;

Also,

Donald G. LaFerla, Republican, as a member of the Southeast Missouri State University Board of Regents;

Also,

Joseph Hunt, Democrat, as a member of the Regional Convention and Sports Complex Authority;

Also,

William L. Manes, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Steven E. Renne, as a member of the Missouri Electronic Prior Authorization Committee;

Also,

Lisa Jan Taylor Crandall, as a member of the Missouri Planning Council for Developmental Disabilities;

Also,

John J. Larsen Jr., Democrat, as a member of the Labor and Industrial Relations Commission;

Also,

Vincil M. Wilt, Democrat, as a member of the Missouri Veterinary Medical Board;

Also,

Richard Fordyce, as Director of the Department of Agriculture;

Also,

Gregg C. Smith, Democrat, as a member of the State Highways and Transportation Commission; and

William Compere, as a member of the Public School Retirement System of Missouri Board of Trustees.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Senator Schaaf requested the committee reports on O. Victor Lenz Jr. and John A. Martin, as members of the State Board of Education, be voted on separately, which request was granted.

Senator Dempsey requested unanimous consent of the Senate to vote on the remaining committee reports in one motion, which request was granted.

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

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of O. Victor Lenz Jr., Republican, as a member of the State Board of Education, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said

appointment.

Senator Schmitt moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed on a standing division vote.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of John A. Martin, Democrat, as a member of the State Board of Education, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Holsman moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

### MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 6, 2014

To the Senate of the 97<sup>th</sup> General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 8, 2014, for your advice and consent:

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Mary D. Craig, withdrawn.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed and qualified; vice, Bruce Darrough, withdrawn.

Tim Dollar, Democrat, 1079 Lake Point Court, Blue Springs, Jackson County, Missouri 64014, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Dennis D. Fowler, Republican, 30473 State Highway 25, Advance, Stoddard County, Missouri 63730, as a member of the Board of Probation and Parole, for a term ending December 17, 2019, and until his successor is duly appointed and qualified; vice, Brian C. Jamison, term expired.

Rhonda K. Haight, 12020 Northeast 148<sup>th</sup> Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Rhonda K. Haight, withdrawn.

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, withdrawn.

Kelley M. Martin, Republican, 5915 Northwest 96<sup>th</sup> Terrace, Kansas City, Platte County, Missouri 64154, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Kelley M. Martin, withdrawn.

Arteveld J. McCoy II, Independent, 334 Reighley Place, Florissant, St. Louis County, Missouri 63033, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

William Miller, Democrat, 12502 Bielefeld Court, Black Jack, Saint Louis County, Missouri 63033, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2017, and until his successor is duly appointed and qualified; vice, David B. Cosgrove, term expired.



Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified; vice, Larry B. Newcomb, withdrawn.

Donna L. Newman, 4122 Mercier, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Donna L. Newman, withdrawn.

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Judith Grace O'Connor, withdrawn.

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Jill L. Patterson, withdrawn.

Joseph E. Pierle, 1224 Rosner Hills Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Joseph E. Pierle, withdrawn.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Sam P. Schaumann, Independent, 638 Lotus Road, Billings, Christian County, Missouri 65610, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Sam P. Schaumann, withdrawn.

Jennifer L. Schoonover, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, Jennifer L. Schoonover, withdrawn.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, James Kendall Seal, withdrawn.

Alan Wells, Democrat, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Muriel A. Brison, term expired.

Deborah White, 4411 Southeast Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Deborah White, withdrawn.

April S. Wilson, Rural Route 1 Box 165A, Memphis, Scotland County, Missouri 63555, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, April S. Wilson, withdrawn.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Senator Dempsey moved that the above appointments be returned to the Governor.

At the request of Senator Dempsey, the above motion was withdrawn.

Senator Dempsey moved that the above appointments be returned to the Governor, with the exception that the return of the appointment of Tim Dollar as a member of the Conservation Commission be considered separately, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Dempsey moved that the appointment of Tim Dollar, as a member of the Conservation Commission, be returned to the Governor, which motion failed on a standing division vote.

President Pro Tem Dempsey assumed the Chair.

**REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SJR 30**, begs leave to report that it has considered the same and recommends that the joint resolution 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 605**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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 **HB 1125**, 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 **SB 528**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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 **SR 1168**, begs leave to report that it has considered the same and recommends that the resolution do pass.

**THIRD READING OF SENATE BILLS**

**SS** for **SB 507**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 507

An Act to repeal sections 21.110, 28.060, 28.190, 29.280, 30.060, 30.070, 32.010, 37.010, 105.010, 105.050, 192.007, 217.035, 261.010, 286.005, 287.610, 374.020, 374.080, 620.010, 640.010, 650.005, and 660.010, RSMo, and to enact to lieu thereof twenty-three new sections relating to vacancies in certain public offices, with a referendum clause and a contingent effective date.

Was taken up.

On motion of Senator Dixon, **SS** for **SB 507** was read the 3rd time and passed by the following vote:

YEAS—Senators

|        |                 |            |         |         |        |            |         |
|--------|-----------------|------------|---------|---------|--------|------------|---------|
| Brown  | Chappelle-Nadal | Cunningham | Curls   | Dempsey | Dixon  | Emery      | Holsman |
| Kehoe  | Kraus           | Lager      | Lamping | LeVota  | Libla  | Munzlinger | Nasheed |
| Parson | Pearce          | Richard    | Romine  | Sater   | Schaaf | Schaefer   | Schmitt |

Silvey Wallingford Wasson—27

NAYS—Senators

Justus Keaveny Nieves Sifton Walsh—5

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

Senator Dixon 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 651**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 651

An Act to repeal sections 392.415, 392.461, and 392.611, RSMo, and to enact in lieu thereof three new sections relating to communications services.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS for SB 651** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

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

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

**SB 649**, introduced by Senator Lager, entitled:

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof four new sections relating to right-of-way of political subdivisions.

Was taken up.

On motion of Senator Lager, **SB 649** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

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

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

**SB 652**, introduced by Senator Lager, entitled:

An Act to repeal sections 389.585, 389.586, 389.587, 389.588, 389.589, and 389.591, RSMo, and to enact in lieu thereof six new sections relating to utility access to railroad right-of-way.

Was taken up.

On motion of Senator Lager, **SB 652** 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     |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce  | Richard     | Romine | Sater     |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Silvey  | Wallingford | Walsh  | Wasson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

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

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

**SS for SCS for SB 653**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 653

An Act to repeal sections 67.1830 and 67.5104, RSMo, and to enact in lieu thereof two new sections relating to municipal utility poles.

Was taken up.

On motion of Senator Lager, **SS for SCS for SB 653** 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 | Libla     | Munzlinger |
| Nasheed  | Nieves          | Parson     | Pearce | Richard     | Romine  | Sater     | Schaaf     |
| Schaefer | Schmitt         | Sifton     | Silvey | Wallingford | Walsh   | Wasson—31 |            |

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

Senator Lager 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 650**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 650

An Act to repeal sections 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, and 67.5103,

RSMo, and to enact in lieu thereof eight new sections relating to wireless communications infrastructure deployment.

Was taken up.

On motion of Senator Lager, **SS** for **SCS** for **SB 650** 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   |
| Munzlinger | Nasheed         | Nieves     | Parson | Pearce      | Richard | Romine    | Sater   |
| Schaaf     | Schaefer        | Schmitt    | Sifton | Wallingford | Walsh   | Wasson—31 |         |

NAYS—Senator Silvey—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the bill passed.

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

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

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

**SJR 30**, introduced by Senator Dixon, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 4, 10, and 51 of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to gubernatorial appointments.

Was taken up.

On motion of Senator Dixon, **SJR 30** was read the 3rd time and passed by the following vote:

YEAS—Senators

|        |             |           |         |       |            |          |         |
|--------|-------------|-----------|---------|-------|------------|----------|---------|
| Brown  | Cunningham  | Curls     | Dempsey | Dixon | Emery      | Holsman  | Kehoe   |
| Kraus  | Lager       | Lamping   | LeVota  | Libla | Munzlinger | Nasheed  | Nieves  |
| Parson | Pearce      | Richard   | Romine  | Sater | Schaaf     | Schaefer | Schmitt |
| Silvey | Wallingford | Wasson—27 |         |       |            |          |         |

NAYS—Senators

|        |         |        |         |
|--------|---------|--------|---------|
| Justus | Keaveny | Sifton | Walsh—4 |
|--------|---------|--------|---------|

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Rupp—1

Vacancies—1

The President Pro Tem declared the joint resolution passed.

On motion of Senator Dixon, title to the joint resolution was agreed to.

Senator Dixon moved that the vote by which the joint resolution passed be reconsidered.

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

### **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 844**—By Dixon.

An Act to repeal section 288.500, RSMo, and to enact in lieu thereof one new section relating to the shared work unemployment compensation program, with an emergency clause.

Senator Pearce 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 725**—Transportation and Infrastructure.

**SB 726**—Financial and Governmental Organizations and Elections.

**SB 727**—Ways and Means.

**SB 728**—Financial and Governmental Organizations and Elections.

**SB 729**—Jobs, Economic Development and Local Government.

**SB 730**—Education.

**SB 731**—Jobs, Economic Development and Local Government.

**SB 732**—Judiciary and Civil and Criminal Jurisprudence.

**SB 733**—Ways and Means.

**SB 734**—Governmental Accountability and Fiscal Oversight.

**SB 735**—Agriculture, Food Production and Outdoor Resources.

**SB 736**—Governmental Accountability and Fiscal Oversight.

**SB 737**—Rules, Joint Rules, Resolutions and Ethics.

**SB 738**—Rules, Joint Rules, Resolutions and Ethics.

- SB 739**—Veterans’ Affairs and Health.
- SB 740**—Jobs, Economic Development and Local Government.
- SB 741**—Small Business, Insurance and Industry.
- SB 742**—Jobs, Economic Development and Local Government.
- SB 743**—Jobs, Economic Development and Local Government.
- SB 744**—General Laws.
- SB 745**—Judiciary and Civil and Criminal Jurisprudence.
- SB 746**—Transportation and Infrastructure.
- SB 748**—Veterans’ Affairs and Health.
- SB 749**—Financial and Governmental Organizations and Elections.
- SB 750**—General Laws.
- SB 751**—Financial and Governmental Organizations and Elections.
- SB 752**—Rules, Joint Rules, Resolutions and Ethics.
- SB 753**—Governmental Accountability and Fiscal Oversight.
- SB 754**—Seniors, Families and Pensions.
- SB 755**—Small Business, Insurance and Industry.
- SB 756**—Education.
- SJR 44**—Ways and Means.
- SJR 45**—Appropriations.
- SJR 46**—Ways and Means.
- SJR 47**—Rules, Joint Rules, Resolutions and Ethics.
- SJR 48**—Transportation and Infrastructure.

### **INTRODUCTIONS OF GUESTS**

Senator Sifton introduced to the Senate, Amy Stovall, Colorado Springs, Colorado.

Senator Kehoe introduced to the Senate, representatives of Mr. Historically Black College and University Kings Leadership Conference and Competition.

On behalf of Senator Schaefer and herself, Senator Justus introduced to the Senate, Thomas Schappe, Columbia.

Senator Schaefer introduced to the Senate, his children, Maximilian, Wolfgang and Magdalena.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 10, 2014.



SENATE CALENDAR

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EIGHTEENTH DAY—MONDAY, FEBRUARY 10, 2014

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

|                        |                          |
|------------------------|--------------------------|
| SB 757-Justus, et al   | SB 791-Parson and Schaaf |
| SB 758-Justus          | SB 792-Parson            |
| SB 759-Sifton          | SB 793-Dixon             |
| SB 760-Chappelle-Nadal | SB 794-Chappelle-Nadal   |
| SB 761-Wallingford     | SB 795-Lager             |
| SB 762-Schaefer        | SB 796-Parson            |
| SB 763-Schaefer        | SB 797-Nieves            |
| SB 764-Lager           | SB 798-Emery             |
| SB 765-Chappelle-Nadal | SB 799-Emery             |
| SB 766-Keaveny         | SB 800-Romine            |
| SB 767-Schmitt, et al  | SB 801-Holsman           |
| SB 768-Pearce          | SB 802-Dixon             |
| SB 769-Pearce          | SB 803-Justus            |
| SB 770-Wallingford     | SB 804-Schaaf            |
| SB 771-Sater           | SB 805-Justus            |
| SB 772-Lamping         | SB 806-LeVota            |
| SB 773-Rupp            | SB 807-LeVota and Curls  |
| SB 774-Dempsey         | SB 808-Wasson            |
| SB 775-Walsh           | SB 809-Wasson            |
| SB 776-Nieves          | SB 810-Holsman           |
| SB 777-Nieves          | SB 811-Schaaf            |
| SB 778-Nieves          | SB 812-Parson            |
| SB 779-Munzlinger      | SB 813-LeVota            |
| SB 780-LeVota          | SB 814-Brown             |
| SB 781-LeVota          | SB 815-Pearce            |
| SB 782-Romine          | SB 816-Sater             |
| SB 783-Romine          | SB 817-Sifton            |
| SB 784-Romine          | SB 818-Kehoe             |
| SB 785-Kehoe           | SB 819-Wallingford       |
| SB 786-Schmitt         | SB 820-Schaefer          |
| SB 787-Justus          | SB 821-Schaefer          |
| SB 788-Brown           | SB 822-Parson            |
| SB 789-Dixon           | SB 823-Dixon, et al      |
| SB 790-Dixon           | SB 824-Dixon             |

SB 825-Chappelle-Nadal  
 SB 826-Brown  
 SB 827-Keaveny  
 SB 828-Schaaf  
 SB 829-Kraus  
 SB 830-Parson  
 SB 831-Wallingford  
 SB 832-Walsh  
 SB 833-Walsh  
 SB 834-Walsh

SB 835-Munzlinger  
 SB 836-Munzlinger  
 SB 837-Sifton  
 SB 838-Emery  
 SB 839-Sater  
 SB 840-Pearce  
 SB 841-Wasson  
 SB 842-Parson  
 SB 843-Schaefer  
 SB 844-Dixon

#### HOUSE BILLS ON THIRD READING

HB 1125-Dugger, et al

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)  
 SBs 509 & 496-Kraus, with SCS  
 SB 518-Sater, with SCS, SA 2 & SA 1 to  
 SA 2 (pending)

SB 530-Libla, with SCS (pending)  
 SB 613-Nieves, et al, with SCS

#### CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon

SB 528-Wallingford

#### RESOLUTIONS

Reported from Committee

SR 1168-Parson

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