

Journal of the Senate

SECOND REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 10, 2014

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And this is the victory that conquers the world, our faith.” (1 John 5:4)

Almighty God, You have assured us that You are with us and will come again to us where there will no longer be any sorrow. Our faith in the future gives us power in the present to pursue those things that are right and necessary for us to do. Let Your Spirit empower us this week so that we may be energized and joyful in the work before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 6, 2014 was read and approved.

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

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

Present—Senators

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

Wasson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1278, regarding the Class 2 State Champion girls volleyball team, Hermann High School, which was adopted.

Senator Silvey offered Senate Resolution No. 1279, regarding Harper Maleigh Ross, Gladstone, which was adopted.

Senator Kraus offered Senate Resolution No. 1280, regarding Dalton James Phelps, Greenwood, which was adopted.

Senator Kraus offered Senate Resolution No. 1281, regarding Lydia Becvar, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1282, regarding Craig Husting, which was adopted.

Senator Schaaf offered Senate Resolution No. 1283, regarding Christopher Kyle “CC” Carver, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1284, regarding Brian William Schroeder, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1285, regarding Samuel Patrick Stowers, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1286, regarding Michael Kenneth Karr, Riverside, which was adopted.

Senator Schaaf offered Senate Resolution No. 1287, regarding Steven Maxwell Alexander, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 1288, regarding Officer Kevin Helldoerfer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1289, regarding Officer Joe Sondag, St. Louis, which was adopted.

Senator Richard offered Senate Resolution No. 1290, regarding Kelsey Frost, Carthage, which was adopted.

Senator Schaefer offered Senate Resolution No. 1291, regarding the University of Missouri Cooperative Extension program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1292, regarding Zachary Daniel Smith, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1293, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Ray Lee Stufflebean, St. Joseph, which was adopted.

Senator Parson offered Senate Resolution No. 1294, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John B. Mathews, Long Lane, which was adopted.

Senator Schmitt offered Senate Resolution No. 1295, regarding Jaden Nilsen, Ballwin, which was adopted.

INTRODUCTION OF BILLS

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

SB 845—By Chappelle-Nadal.

An Act to amend chapters 163, 170, and 302, RSMo, by adding thereto three new sections relating to driver education and training.

SB 846—By Richard.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to attorney contingency fees, with a referendum clause.

SB 847—By Schaaf.

An Act to repeal sections 105.711, 197.305, 197.310, 197.315, 197.330, 208.010, 208.166, 208.325, 208.955, 334.035, 334.104, 334.735, 354.535, and 538.220, RSMo, and to enact in lieu thereof forty-five new sections relating to the provision of health care, with a penalty provision.

Senator Pearce assumed the Chair.

SB 848—By LeVota.

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to reimbursements for dual enrollment courses.

SB 849—By Walsh.

An Act to amend chapter 390, RSMo, by adding thereto one new section relating to regulation of contract carriers that transport railroad employees, with an emergency clause.

SB 850—By Munzlinger.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the establishment of a supplemental nutrition assistance pilot program.

SB 851—By Munzlinger.

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof two new sections relating to tow truck operations, with penalty provisions.

SB 852—By Schmitt.

An Act to repeal section 84.340 and 571.030, RSMo, and to enact in lieu thereof three new sections relating to corporate security advisors, with a penalty provision.

SB 853—By Wasson.

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof three new sections relating to the licensure of psychologists.

SB 854—By Wasson.

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

SENATE BILLS FOR PERFECTION

Senator Nieves moved that **SB 613**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 613**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 613

An Act to repeal sections 1.320, 21.750, 571.030, 571.070, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for a certain section.

Was taken up.

Senator Nieves moved that **SCS** for **SB 613** be adopted.

President Pro Tem Dempsey assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 613, Page 5, Section 1.320, Line 142, by inserting after all of said line the following:

“9. Nothing contained in this section shall be construed to create any civil liability for, or prohibit any state or local law enforcement officer from, assisting in the federal enforcement or prosecution of violations of Title 18 of the United States Code, in effect on the effective date of this section, for violations involving firearms or ammunition manufactured outside of the state of Missouri.”

Senator Sifton moved that the above amendment be adopted.

Senator Schaaf offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 613, Page 1, Line 8, by inserting after the word “firearms” the following: **“manufactured outside of the state of Missouri”**.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schaaf, **SA 1** to **SA 1** was withdrawn.

SA 1 was again taken up.

At the request of Senator Sifton, the above amendment was withdrawn.

Senator Holsman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 613, Page 7, Section 160.665, Line 10, by inserting after “firearms” the following: **“or a self-defense spray device”**; and

Further amend lines 11-12 by striking all of said lines and inserting in lieu thereof the following: **“any school in the district. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of his or her personal control while that firearm or device is on”**; and

Further amend lines 33-35 by striking all of said lines and inserting in lieu thereof the following: **“teacher or administrator. Along with this request, any teacher or administrator seeking to carry a concealed firearm on school property shall also submit proof that he or she has a valid concealed carry endorsement or permit, and all teachers and administrators seeking the designation of school protection officer shall submit a certificate”**; and

Further amend said bill and section, Page 8, lines 42-43 by striking “has a valid concealed carry endorsement or permit and”; and further amend line 45, by inserting at the end of said line the following: **“No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.”**; and further amend line 70, by inserting after all of said line the following:

“11. Before a school district may designate a teacher or administrator as a school protection officer, the school board shall hold a public hearing on whether to allow such designation. At the hearing, the school board shall determine whether the school protection officer will be authorized to carry a concealed firearm on school property, or a self-defense spray device, or both. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located.”; and

Further amend said bill, Page 25, Section 571.107, lines 92-99 by striking all of said lines and inserting in lieu thereof the following:

“(10) Any higher education institution [or elementary or secondary school facility] without the consent of the governing body of the higher education institution [or a school official or the district school board] or any elementary or secondary school unless the person is granted permission pursuant to section 160.665. Possession of a firearm in a vehicle on the premises”; and

Further amend said bill, Page 31, Section 590.200, Line 14, by striking the word “and”; and further amend line 15, by inserting after the word “force” the following: **“; and**

(6) Instruction in the proper use of self-defense spray devices”.

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 613**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 498**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 508**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 526**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 610**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 532**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Jay Mitchell, Joplin.

Senator Keaveny introduced to the Senate, Mike Magliani, Kirkwood.

On behalf of Senator Pearce, the President introduced to the Senate, Laura Hough, Columbia.

Senator Richard introduced to the Senate, Jon Stouffer, Neosho.

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

SENATE CALENDAR

NINETEENTH DAY—TUESDAY, FEBRUARY 11, 2014

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 757-Justus, et al

SB 758-Justus

SB 759-Sifton

SB 760-Chappelle-Nadal

SB 761-Wallingford

SB 762-Schaefer

SB 763-Schaefer

SB 764-Lager

SB 765-Chappelle-Nadal	SB 805-Justus
SB 766-Keaveny	SB 806-LeVota
SB 767-Schmitt, et al	SB 807-LeVota and Curls
SB 768-Pearce	SB 808-Wasson
SB 769-Pearce	SB 809-Wasson
SB 770-Wallingford	SB 810-Holsman
SB 771-Sater	SB 811-Schaaf
SB 772-Lamping	SB 812-Parson
SB 773-Rupp	SB 813-LeVota
SB 774-Dempsey	SB 814-Brown
SB 775-Walsh	SB 815-Pearce
SB 776-Nieves	SB 816-Sater
SB 777-Nieves	SB 817-Sifton
SB 778-Nieves	SB 818-Kehoe
SB 779-Munzlinger	SB 819-Wallingford
SB 780-LeVota	SB 820-Schaefer
SB 781-LeVota	SB 821-Schaefer
SB 782-Romine	SB 822-Parson
SB 783-Romine	SB 823-Dixon, et al
SB 784-Romine	SB 824-Dixon
SB 785-Kehoe	SB 825-Chappelle-Nadal
SB 786-Schmitt	SB 826-Brown
SB 787-Justus	SB 827-Keaveny
SB 788-Brown	SB 828-Schaaf
SB 789-Dixon	SB 829-Kraus
SB 790-Dixon	SB 830-Parson
SB 791-Parson and Schaaf	SB 831-Wallingford
SB 792-Parson	SB 832-Walsh
SB 793-Dixon	SB 833-Walsh
SB 794-Chappelle-Nadal	SB 834-Walsh
SB 795-Lager	SB 835-Munzlinger
SB 796-Parson	SB 836-Munzlinger
SB 797-Nieves	SB 837-Sifton
SB 798-Emery	SB 838-Emery
SB 799-Emery	SB 839-Sater
SB 800-Romine	SB 840-Pearce
SB 801-Holsman	SB 841-Wasson
SB 802-Dixon	SB 842-Parson
SB 803-Justus	SB 843-Schaefer
SB 804-Schaaf	SB 844-Dixon

SB 845-Chappelle-Nadal
 SB 846-Richard
 SB 847-Schaaf
 SB 848-LeVota
 SB 849-Walsh

SB 850-Munzlinger
 SB 851-Munzlinger
 SB 852-Schmitt
 SB 853-Wasson
 SB 854-Wasson

SENATE BILLS FOR PERFECTION

SB 498-Schaefer
 SB 508-Parson
 SB 526-Cunningham, with SCS

SB 610-Rupp and Parson
 SB 532-Nasheed, with SCS

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 & SA 2
 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 605-Dixon

SB 528-Wallingford

RESOLUTIONS

Reported from Committee

SR 1168-Parson

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