

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 24, 2014

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You shall be holy, for I the Lord your God am holy.” (Leviticus 19:1)

Lord God, You have set us aside to be a people who are forgiven and who transformed our words and actions to be like Yours. Yet we know we cannot be perfect and fall short of what You expect. So we ask for Your mercy and grace that we might go forth into this week to be a people of peace and love as we have been loved. And may it be found in our voice and action in this place and time. 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 20, 2014 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	Libla	Munzlinger
Nasheed	Nieves	Parson	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

LeVota Pearce—2

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 1430, regarding Julius Watkins, Saint Louis, which was

adopted.

Senator Wallingford offered Senate Resolution No. 1431, regarding Drs. Mary Ann and Bert Kellerman, which was adopted.

Senator Sifton offered Senate Resolution No. 1432, regarding Kevin Amsler, which was adopted.

Senator Kehoe offered Senate Resolution No. 1433, regarding the Missouri Donated Dental Services program, which was adopted.

Senator Schmitt offered Senate Resolution No. 1434, regarding L. John Schott, AIA, which was adopted.

Senator Schmitt offered Senate Resolution No. 1435, regarding Melissa Garnett, which was adopted.

Senator Lager offered Senate Resolution No. 1436, regarding Jacy Valentine, Unionville, which was adopted.

Senator Sifton offered Senate Resolution No. 1437, regarding Mark Trout, which was adopted.

Senators Keaveny and Schmitt offered Senate Resolution No. 1438, regarding Colin Patrick Hoock, Shrewsbury, which was adopted.

Senator Richard offered Senate Resolution No. 1439, regarding Jo Ann Radetic, which was adopted.

Senator Schmitt offered Senate Resolution No. 1440, regarding Herbert Frederick Mahler, Fenton, which was adopted.

Senator Lamping offered Senate Resolution No. 1441, regarding Orlin Hoyd Clark, Jr., Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1442, regarding Sarah Eisenman, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1443, regarding Harold W. Anway, Jr., Lake Ozark, which was adopted.

Senator Brown offered Senate Resolution No. 1444, regarding Butch Daniels, which was adopted.

INTRODUCTION OF BILLS

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

SB 910—By Schaaf.

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection reporting, with existing penalty provisions.

SB 911—By Libla.

An Act to repeal section 569.130, RSMo, and to enact in lieu thereof one new section relating to the ability of tenants to inject the issue of claim of right.

SB 912—By Wasson.

An Act to repeal sections 348.250, 348.253, 348.257, 348.265, 348.269, section 348.251 as enacted by

senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.251 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.256 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.256 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.261 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.261 as enacted by senate committee substitute for house committee substitute for house bill no. 574, eighty-eighth general assembly, first regular session, section 348.262 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.262 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.263 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.263 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill nos 1248 & 1048, eighty-seventh general assembly, second regular session, section 348.264 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.264 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 414, eighty-eighth general assembly, first regular session, section 348.271 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, section 348.300 as enacted by senate substitute for senate committee substitute for senate bill no. 7, ninety-sixth general assembly, first extraordinary session, and section 348.300 as enacted by senate committee substitute for house committee substitute for house bill no. 1, ninety-fourth general assembly, first extraordinary session, RSMo, and to enact in lieu thereof ten new sections relating to the Missouri technology corporation.

SB 913—By Wasson and Cunningham.

An Act to repeal section 448.3-116, RSMo, and to enact in lieu thereof one new section relating to assessments on condominiums.

SB 914—By Munzlinger.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the crime of unlawful placement of sediment, with a penalty provision.

SB 915—By Dixon.

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to a surcharge for the construction of judicial facilities.

SB 916—By Wallingford.

An Act to repeal sections 1.302 and 1.307, RSMo, and to enact in lieu thereof one new section relating to the exercise of religion.

SB 917—By Richard.

An Act to repeal section 620.1900, RSMo, and to enact in lieu thereof one new section relating to a fee for issuance of tax credits.

Photographers from the Mizzou Network were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 20, 2014

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Bruce Darrough as a member of the Linn State Technical College Board of Regents, submitted to you on February 19, 2014. Line 3 should be amended to read:

term ending December 29, 2019, and until his successor is duly appointed and qualified;

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

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

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Pearce, Chairman of the Committee on Education, Senator Romine submitted the following report:

Mr. President: Your Committee on Education, to which were referred **SB 493**, **SB 485**, **SB 495**, **SB 516**, **SB 534**, **SB 545**, **SB 595**, **SB 616** and **SB 624** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE BILLS FOR PERFECTION

At the request of Senator Justus, **SB 491**, with **SCS**, was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 543** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 543**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 543

An Act to repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

Senator Munzlinger moved that **SS** for **SB 543** be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

At the request of Senator Munzlinger, **SS** for **SB 543** was placed on the Informal Calendar.

Senator Chappelle-Nadal moved that **SB 567**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 567**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 567

An Act to repeal sections 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, and 660.420, RSMo, and to enact in lieu thereof sixteen new sections relating to adult day care, with penalty provisions.

Was taken up.

Senator Chappelle-Nadal moved that **SCS** for **SB 567** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 567, Page 4, Section 660.403, Line 61, by striking the word “division” and inserting in lieu thereof the word “**department**”.

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

Senator Chappelle-Nadal moved that **SCS** for **SB 567**, as amended, be adopted, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SCS** for **SB 567**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 525** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 525**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 525

An Act to amend chapter 196, RSMo, by adding thereto two new sections relating to the preparation of food preparation.

Senator Cunningham moved that **SS** for **SB 525** be adopted.

Senator Cunningham offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 525, Page 1, In the Title, Lines 3-4, by striking the words “the preparation of food preparation” and inserting in lieu thereof the following: “food safety”.

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

Senator Cunningham moved that **SS** for **SB 525**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 525**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 561** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 561** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 666**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 666**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 666

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax credit for residential real property owners.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 666** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 666** was declared perfected and ordered printed.

Senator Silvey moved that **SJR 45**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 45

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the ability of the governor to control the rate of and reduce expenditures.

Was taken up.

Senator Silvey moved that **SCS** for **SJR 45** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SJR 45** was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SCR 35** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **SCS** for **SB 664** to the Committee on Governmental Accountability and Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 24, 2014

Terry Spieler
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Spieler,

I am appointing Senator Gina Walsh to the Missouri Lead Industry Employment, Economic Development and Environmental Remediation

Task Force. If you have any questions, please do not hesitate to contact my office.

Sincerely,



Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the 2013 University of Missouri - Columbia volleyball team.

Senator Keaveny introduced to the Senate, Joshua Temple, St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, February 25, 2014.

SENATE CALENDAR

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 25, 2014

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

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

SB 845-Chappelle-Nadal

SB 846-Richard

SB 847-Schaaf

SB 848-LeVota

SB 849-Walsh

SB 850-Munzlinger

SB 852-Schmitt

SB 853-Wasson

SB 854-Wasson

SB 855-Schaefer

SB 856-Emery

SB 857-Holsman

SB 858-Kraus

SB 859-Brown

SB 860-Cunningham

SB 861-Schaefer

SB 862-Lager

SB 863-Emery

SB 864-Schaaf

SB 865-Nieves

SB 866-Wasson	SB 893-Kraus
SB 867-Wasson	SB 894-Munzlinger
SB 868-Sater	SB 895-Sater
SB 869-Schmitt	SB 896-Wallingford
SB 870-Holsman	SB 897-Wallingford
SB 871-Holsman	SB 898-Schaefer
SB 872-Wallingford and Justus	SB 899-Justus and Schaaf
SB 873-Brown	SB 900-Lamping
SB 874-Wasson	SB 901-Holsman
SB 875-Sater	SB 902-Munzlinger
SB 876-LeVota	SB 903-Silvey
SB 877-Kraus	SB 904-Sifton
SB 878-Lamping	SB 905-Sater
SB 879-Sifton	SB 906-Holsman
SB 880-Sifton	SB 907-Richard
SB 881-Sifton	SB 908-Schaefer
SB 882-Brown	SB 909-Parson and Kehoe
SB 883-Wasson	SB 910-Schaaf
SB 884-Wallingford	SB 911-Libla
SB 885-Pearce	SB 912-Wasson
SB 886-Schaefer	SB 913-Wasson and Cunningham
SB 887-Schaefer	SB 914-Munzlinger
SB 888-Parson	SB 915-Dixon
SB 889-Parson	SB 916-Wallingford
SB 890-Kehoe	SB 917-Richard
SB 891-Kehoe	SJR 49-Cunningham
SB 892-Kraus	

HOUSE BILLS ON SECOND READING

HB 1430-Jones (110), et al	HJR 72-Richardson, et al
HCS for HB 1058	HCS for HB 1412
HB 1133-Engler, et al	HCS for HBs 1253 & 1297
HCS for HB 1051	HCS for HB 1295
HJR 48-Solon, et al	

THIRD READING OF SENATE BILLS

SCS for SB 529-Wallingford	SCS for SB 664-Brown (In Fiscal Oversight)
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SENATE BILLS FOR PERFECTION

SJR 42-Schmitt
SB 735-Brown, with SCS
SB 504-Munzlinger
SB 575-Dixon

SB 643-Rupp, with SCS
SB 612-Schaaf, with SCS
SBs 493, 485, 495, 516, 534, 545,
595, 616 & 624-Pearce, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 491-Justus and Dixon, with SCS
SBs 509 & 496-Kraus, with SCS & SA 1
(pending)
SB 518-Sater, with SCS, SA 2 & SA 1 to
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)
SB 530-Libla, with SCS (pending)
SS for SB 543-Munzlinger
SB 663-Munzlinger, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/20

SB 606-Dixon
SB 573-Munzlinger, with SCS
SB 729-Romine, with SCS

SB 635-Silvey and Holsman, with SCS
SB 734-Cunningham
SB 600-Sater

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