

Journal of the Senate

SECOND REGULAR SESSION

FORTY-EIGHTH DAY—TUESDAY, APRIL 8, 2014

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

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

Gracious God, grant us Your grace to always deal with each other and those we meet each day with wisdom, common sense and in a gracious and helpful manner. Let all we do demonstrate our faithfulness with a warm heart and kind voice as we go about doing what is required of 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 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—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1770, regarding the death of Tina Halcomb, Jefferson City, which was adopted.

Senator Libla offered Senate Resolution No. 1771, regarding Dr. Raymond R. “Bob” Kenison, Hannibal, which was adopted.

Senator Lager offered Senate Resolution No. 1772, regarding Samuel W. Woodson, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1773, regarding Isaiah G. Swann, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1774, regarding Charles David Hoffman, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1775, regarding Jacob Hamilton, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1776, regarding Gannon D. Albrecht, Trenton, which was adopted.

Senator Pearce offered Senate Resolution No. 1777, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Rest, Warrensburg, which was adopted.

Senator Lamping offered Senate Resolution No. 1778, regarding Leah Pearl Rothberg, St. Louis, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1779, regarding Jennifer J. Fazio, Florissant, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1780, regarding Rachel Elizabeth Bogaski, Florissant, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1781, regarding Emily Rose Mausshardt, Ballwin, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1782, regarding Elise Lynn Kammeyer, Chesterfield, which was adopted.

Senators Lamping and Dempsey offered Senate Resolution No. 1783, regarding Tristan Marie Ritter, St. Charles, which was adopted.

Senator Lamping offered Senate Resolution No. 1784, regarding Taylor June Knoche, Defiance, which was adopted.

Senator Lamping offered Senate Resolution No. 1785, regarding Katherine Ruth Harris, Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 1786, regarding Shelby Meyer, Defiance, which was adopted.

Senator Lamping offered Senate Resolution No. 1787, regarding Gabrielle Elizabeth Oehmke, O’Fallon, which was adopted.

Senator Lamping offered Senate Resolution No. 1788, regarding Megan Bridget Bucol, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1789, regarding Katherine Elizabeth Angeli,

Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 1790, regarding Amanda Mechelle Blythe, O'Fallon, which was adopted.

Senator Lamping offered Senate Resolution No. 1791, regarding Rebecca Anna Schreiber, Fenton, which was adopted.

Senator Lamping offered Senate Resolution No. 1792, regarding Olivia June Jaeger, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1793, regarding Laura Ashley Anderson, Chesterfield, which was adopted.

Senator Lamping offered Senate Resolution No. 1794, regarding Jacquelyn Nicole Weber, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1795, regarding Madeline Clark McDonnell, St. Louis, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 774**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 774**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 774

An Act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 774** be adopted.

Senator Dempsey offered **SS** for **SCS** for **SB 774**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 774

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

Senator Dempsey moved that **SS** for **SCS** for **SB 774** be adopted.

Senator Romine assumed the Chair.

At the request of Senator Dempsey, **SB 774**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Dixon moved that **SB 575** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SB 575**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 575

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.800, 21.801, 21.830, 21.835, 21.850, 21.910, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.710, 33.150, 33.850, 37.250, 105.955, 135.210, 135.230, 167.195, 191.115, 191.934, 197.291, 208.275, 215.261, 215.262, 217.025, 217.035, 217.550, 217.567, 262.950, 301.129, 313.001, 320.092, 338.321, 348.439, 361.120, 383.250, 386.145, 476.681, 620.050, 620.602, 620.1300, 630.461, and 650.120, RSMo, section 105.955 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof sixteen new sections relating to the existence of certain committees.

Senator Dixon moved that **SS** for **SB 575** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting immediately after said line the following:

“21.880. 1. There is hereby established a permanent joint committee of the general assembly, which shall be known as the “Joint Committee on Judiciary and Justice” and shall be composed of the following members:

- (1) The chairs of the senate and house committees on the judiciary;**
- (2) The ranking minority members of the senate and house committees on the judiciary;**
- (3) Two members of the senate appointed by the president pro tempore of the senate, one of whom shall be a member of the senate committee on appropriations;**
- (4) The chair of the house committee with jurisdiction over matters relating to criminal laws, law enforcement, and public safety;**
- (5) The chair of the house committee with jurisdiction over matters relating to state correctional institutions;**
- (6) A member of the senate appointed by the minority floor leader of the senate;**
- (7) A member of the house of representatives appointed by the minority floor leader of the house of representatives;**
- (8) Three nonvoting ex officio members who shall be the chief justice of the Missouri supreme court, the state auditor, and the attorney general, or their designees.**

2. No more than three members from each house shall be of the same political party. The appointment of members shall continue during their term of office as members of the general

assembly or until a successor has been duly appointed to fill their place when their term of office as members of the general assembly has expired.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chair and vice chair, one of whom shall be the senate judiciary chair and one of whom shall be the house judiciary chair. The positions of chair and vice chair shall alternate every two years thereafter between the senate and house. After its organization, the committee shall meet regularly, at least twice a year, at such time and place as the chair designates, including locations other than Jefferson City. A majority of the members of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

4. In order to promote the effective administration of justice and public safety, it shall be the duty of the joint committee to:

(1) Review and monitor:

(a) The state's justice system;

(b) The state's criminal laws, law enforcement, and public safety;

(c) The state's correctional institutions and penal and correctional issues; and

(d) All state government efforts related to terrorism, bioterrorism, and homeland security;

(2) Receive reports from the judicial branch, state or local government agencies or departments, and any entities attached to them for administrative purposes;

(3) Conduct an ongoing study and analysis of the state's justice system and related issues;

(4) Determine the need for changes in statutory law, rules, policies, or procedures;

(5) Make any recommendations to the general assembly for legislative action; and

(6) Perform other duties authorized by concurrent resolution of the general assembly.

5. By January 15, 2016, and every year thereafter, it shall be the duty of the joint committee to file with the general assembly a report of its activities, along with any findings or recommendations the committee may have for legislative action.

6. The joint committee shall establish a permanent subcommittee on the Missouri criminal code, which shall conduct and supervise a continuing program of revision designed to maintain the cohesiveness, consistency, and effectiveness of the criminal laws of the state. In connection with this program, the committee may select an advisory committee on the Missouri criminal code, composed of a representative of the Missouri supreme court, a representative of the office of the attorney general, and other individuals known to be interested in the improvement of the state's criminal laws, and may authorize the payment of any actual and necessary expenses incurred by such members while attending meetings with the committee or the subcommittee on the Missouri criminal code. The subcommittee on the Missouri criminal code shall present to the general assembly in each tenth year such criminal code revision bills as it finds appropriate to accomplish its purpose.

7. The joint committee may make reasonable requests for staff assistance from the research and

appropriations staffs of the senate and house and the joint committee on legislative research, and may employ such personnel as it deems necessary to carry out the duties imposed by this section, within the limits of any appropriation for such purpose. All branches of government and state departments, agencies, boards, commissions and offices shall cooperate with and assist the joint committee in the performance of its duties and shall make available all information requested. The committee shall have the power to subpoena witnesses, take testimony under oath, compel the attendance of witnesses, the giving of testimony and the production of records.

8. The members of the committee shall serve without compensation, but any actual and necessary expenses incurred in the performance of the committee's official duties by the joint committee, its members, and any staff assigned to the committee shall be paid from the joint contingent fund.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 575**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 774**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 774** was again taken up.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 774, Page 21, Section 99.825, Line 1, by inserting after the number “99.820” the following: “**or a commission located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**”.

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

Senator Dempsey moved that **SS** for **SCS** for **SB 774**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 774**, as amended, was declared perfected and ordered printed.

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 taken up and passed **HCS** for **HB 1303**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to religious liberties of students.

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 **HB 1305**, entitled:

An Act to amend chapter 389, RSMo, by adding thereto one new section relating to train conductors.

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 **HB 1138**, entitled:

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 734** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 734** was declared perfected and ordered printed.

Senator Dixon moved that **SB 575**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

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

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting immediately after said line the following:

“21.820. 1. There is established a joint committee of the general assembly to be known as the “Joint Committee on **Oversight and** Government Accountability” to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. Each member shall be

appointed for a term of two years or until a successor has been appointed to fill the member's place when his or her term has expired. Members may be reappointed to the joint committee. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) [Make a continuing study and analysis of inefficiencies, fraud and misconduct in state government] **Study and analyze the operations and performance of all branches of state government, including, but not limited to:**

(a) **The management of state programs, as defined in section 23.253;**

(b) **The procurement of goods and services by state agencies;**

(c) **All leases and proposed leases of real property funded with state moneys; and**

(d) **All construction, repairs, or maintenance on any state-funded capital improvements project, excluding capital improvements projects or highway improvements of the state transportation department funded by motor fuel tax revenues;**

(2) [Determine the appropriate method of obtaining data on each entity of state government that will provide relevant information at least biennially for the identification of potential and actual inefficiencies in each state entity's function, duties, and performance;

(3)] Determine from its study and analysis the need for changes in statutory law, rules, or policies; [and]

(3) **Make recommendations to the general assembly for legislative action to reorganize state government, including the elimination, reduction, or consolidation of agencies or programs;**

(4) Make any other [recommendation] **recommendations** to the general assembly **for legislative action** necessary to [reduce inefficiencies] **improve performance, promote efficiency and economy, and prevent or detect waste, fraud, or abuse** in state government; **and**

(5) Identify and acknowledge government agencies and officials who perform functions in an efficient and effective manner.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least four times a year. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement from the joint contingent fund for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The joint committee shall review certain state departments and any successor department, including all executive or administrative boards, bureaus, commissions, and other agencies assigned to such department by law or by the governor as provided by law, according to the following schedule:

(1) No later than January 1, 2016, and every ten years thereafter:

- (a) The office of the governor;**
- (b) The office of administration; and**
- (c) The department of agriculture;**

(2) No later than January 1, 2018, and every ten years thereafter:

- (a) The office of the lieutenant governor;**
- (b) The department of natural resources; and**
- (c) The department of insurance, finance, and professional registration;**

(3) No later than January 1, 2020, and every ten years thereafter:

- (a) The office of the secretary of state;**
- (b) The department of labor and industrial relations; and**
- (c) The department of economic development;**

(4) No later than January 1, 2022, and every ten years thereafter:

- (a) The office of the state treasurer;**
- (b) The department of revenue; and**
- (c) The department of social services;**

(5) No later than January 1, 2024, and every ten years thereafter:

- (a) The office of the attorney general;**
- (b) The department of mental health; and**
- (c) The department of health and senior services.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting after all of said line the following:

“21.795. 1. There is established a permanent joint committee of the general assembly to be known as the “Joint Committee on Transportation Oversight” to be composed of seven members of [the standing transportation committees of] both the senate and the house of representatives and three nonvoting ex officio members. Of the fourteen members to be appointed to the joint committee, the seven senate members of the joint committee shall be appointed by the president pro tem of the senate and minority leader of the senate and the seven house members shall be appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives. The seven senate members shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the senate bears to the total membership of the senate. No major party shall be represented by more than four members from the house of representatives. The ex officio members shall be the state auditor, the director of the oversight division of the committee on legislative research, and the commissioner of the office of administration or the designee of such auditor, director or commissioner. The joint committee shall be chaired jointly by [both chairs of] **one member from the senate and one member from the house** [transportation committees]. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members, other than the ex officio members, shall be required for the determination of any matter within the committee's duties.

2. The department of transportation shall submit a written report prior to December thirty-first of each year to the governor and the lieutenant governor. The report shall be posted to the department's internet website so that general assembly members may elect to access a copy of the report electronically. The written report shall contain the following:

(1) A comprehensive financial report of all funds for the preceding state fiscal year which shall include a report by independent certified public accountants, selected by the commissioner of the office of administration, attesting that the financial statements present fairly the financial position of the department in conformity with generally accepted government accounting principles. This report shall include amounts of:

(a) State revenues by sources, including all new state revenue derived from highway users which results from action of the general assembly or voter-approved measures taken after August 28, 2003, and projects funded in whole or in part from such new state revenue, and amounts of federal revenues by source;

(b) Any other revenues available to the department by source;

(c) Funds appropriated, the amount the department has budgeted and expended for the following: contracts, right-of-way purchases, preliminary and construction engineering, maintenance operations and administration;

(d) Total state and federal revenue compared to the revenue estimate in the fifteen-year highway plan as adopted in 1992. All expenditures made by, or on behalf of, the department for personal services

including fringe benefits, all categories of expense and equipment, real estate and capital improvements shall be assigned to the categories listed in this subdivision in conformity with generally accepted government accounting principles;

(2) A detailed explanation of the methods or criteria employed to select construction projects, including a listing of any new or reprioritized projects not mentioned in a previous report, and an explanation as to how the new or reprioritized projects meet the selection methods or criteria;

(3) The proposed allocation and expenditure of moneys and the proposed work plan for the current fiscal year, at least the next four years, and for any period of time expressed in any public transportation plan approved by either the general assembly or by the voters of Missouri. This proposed allocation and expenditure of moneys shall include the amounts of proposed allocation and expenditure of moneys in each of the categories listed in subdivision (1) of this subsection;

(4) The amounts which were planned, estimated and expended for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation in the preceding state fiscal year and amounts which have been planned, estimated or expended by project for construction work in progress;

(5) The current status as to completion, by project, of the fifteen-year road and bridge program adopted in 1992. The first written report submitted pursuant to this section shall include the original cost estimate, updated estimate and final completed cost by project. Each written report submitted thereafter shall include the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project;

(6) The reasons for cost increases or decreases exceeding five million dollars or ten percent relative to cost estimates and final completed costs for projects in the state highway and bridge construction program or any other projects relating to other modes of transportation completed in the preceding state fiscal year. Cost increases or decreases shall be determined by comparing the cost estimate at the time the project was placed on the most recent five-year highway and bridge construction plan and the final completed cost by project. The reasons shall include the amounts resulting from inflation, department-wide design changes, changes in project scope, federal mandates, or other factors;

(7) Specific recommendations for any statutory or regulatory changes necessary for the efficient and effective operation of the department;

(8) An accounting of the total amount of state, federal and earmarked federal highway funds expended in each district of the department of transportation; and

(9) Any further information specifically requested by the joint committee on transportation oversight.

3. Prior to February fifteenth of each year, the committee shall hold an annual meeting and call before its members, officials or employees of the state highways and transportation commission or department of transportation, as determined by the committee, for the sole purpose of receiving and examining the report required pursuant to subsection 2 of this section. The committee shall not have the power to modify projects or priorities of the state highways and transportation commission or department of transportation. The committee may make recommendations to the state highways and transportation commission or the department of transportation. Disposition of those recommendations shall be reported by the commission or the department to the joint committee on transportation oversight.

4. In addition to the annual meeting required by subsection 3 of this section, the committee shall meet two times each year. The co-chairs of the committee shall establish an agenda for each meeting that may include, but not be limited to, the following items to be discussed with the committee members throughout the year during the scheduled meeting:

- (1) Presentation of a prioritized plan for all modes of transportation;
- (2) Discussion of department efficiencies and expenditure of cost-savings within the department;
- (3) Presentation of a status report on department of transportation revenues and expenditures, including a detailed summary of projects funded by new state revenue as provided in paragraph (a) of subdivision (1) of subsection 2 of this section; and
- (4) Implementation of any actions as may be deemed necessary by the committee as authorized by law.

The co-chairs of the committee may call special meetings of the committee with ten days' notice to the members of the committee, the director of the department of transportation, and the department of transportation.

5. The committee shall also review all applications for the development of specialty plates submitted to it by the department of revenue. The committee shall approve such application by a majority vote. The committee shall approve any application unless the committee receives:

- (1) A signed petition from five house members or two senators that they are opposed to the approval of the proposed license plate and the reason for such opposition;
- (2) Notification that the organization seeking authorization to establish a new specialty license plate has not met all the requirements of section 301.3150;
- (3) A proposed new specialty license plate containing objectionable language or design;
- (4) A proposed license plate not meeting the requirements of any reason promulgated by rule.

The committee shall notify the director of the department of revenue upon approval or denial of an application for the development of a specialty plate.

6. The committee shall submit records of its meetings to the secretary of the senate and the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023.”; and

Further amend the title and enacting clause accordingly.

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

Senator Walsh offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 575, Page 26, Section 620.1300, Line 27 of said page, by inserting after all of said line the following:

“630.010. 1. The state mental health commission, established by the omnibus reorganization act of 1974, section 9, appendix B, RSMo, shall be composed of seven members appointed by the governor, by and with the advice and consent of the senate. The terms of members appointed under the reorganization act before August 13, 1980, shall continue until the terms under which the members were regularly

appointed expire. The terms shall be for four years. Each commissioner shall hold office until his successor has been appointed and qualified.

2. The commission shall be comprised of members who are not prohibited from serving by sections 105.450 to 105.482, as amended, and who are not otherwise employed by the state. The commission shall be composed of the following:

(1) A physician recognized as an expert in the treatment of mental illness;

(2) A physician, **licensed clinical psychologist, or other licensed clinician**, recognized as an expert in the evaluation or [habilitation] **treatment** of persons with an intellectual disability or developmental disability;

(3) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the treatment of mental illness;

(4) A representative of groups who are consumers or families of consumers interested in the services provided by the department in the habilitation of persons with an intellectual disability or developmental disability;

(5) A person recognized for his expertise in general business matters and procedures;

(6) A person recognized for his interest and expertise in dealing with alcohol or drug abuse; and

(7) A person recognized for his interest or expertise in community mental health services.

3. Vacancies occurring on the commission shall be filled by appointment by the governor, by and with the advice and consent of the senate, for the unexpired terms. In case of a vacancy when the senate is not in session, the governor shall make a temporary appointment until the next session of the general assembly, when he shall nominate someone to fill the office.

4. The commission shall elect from its members a chairman and a secretary. Meetings shall be held at least once a month, and special meetings may be held at the call of the chairman.

5. The department shall pay the commission members one hundred dollars per day for each day, or portion thereof, they actually spend in transacting the business of the commission and shall reimburse the commission members for necessary expenses actually incurred in the performance of their official duties.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schaaf offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 575, Page 13, Section 135.230, Line 21, by inserting after all of said line the following:

“208.952. 1. There is hereby established [the] **a permanent** “Joint Committee on MO HealthNet”. The committee shall have as its purpose the study, **monitoring, and review** of the **efficacy of the program as well as the** resources needed to continue and improve the MO HealthNet program over time. **The**

committee shall receive and obtain information from the departments of social services, mental health, health and senior services and elementary and secondary education, as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area. The committee shall consist of ten members:

- (1) The chair and the ranking minority member of the house committee on the budget;
- (2) The chair and the ranking minority member of the senate committee on appropriations [committee];
- (3) The chair and the ranking minority member of the house committee on appropriations for health, mental health, and social services;
- (4) The chair and the ranking minority member of the **standing** senate committee [on health and mental health] **assigned to consider MO HealthNet legislation and matters;**
- (5) A representative chosen by the speaker of the house of representatives; and
- (6) A senator chosen by the president pro tem of the senate.

No more than three members from each house shall be of the same political party.

2. A chair of the committee shall be selected by the members of the committee.

3. The committee shall meet [as necessary] **at least three times a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee. At every meeting of the committee, there shall be a public comment period. The committee shall solicit from state organizations representing health care professionals as to any recommendations they have to improve the quality of health care and its cost.**

4. [Nothing in this section shall be construed as authorizing the committee to hire employees or enter into any employment contracts] **The committee is authorized to hire an employee or enter into employment contracts, including an executive director to conduct an audit, special review or investigation of the MO HealthNet program in order to assist the committee with its duties. Such executive director shall have free access to all divisions or offices within the departments of social services, health and senior services or mental health associated with the MO HealthNet program for the inspection of such books, accounts, contracts, data and papers as concern any of the executive director's duties. Any person who willfully makes or causes to be made to the executive director any false, misleading, or unfounded report for the purpose of interfering with the performance of the executive director's duties under this section shall be guilty of a class A misdemeanor. The compensation of such personnel and the expenses of the committee shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.**

5. [The committee shall receive and study the five-year rolling MO HealthNet budget forecast issued annually by the legislative budget office.

6.] The committee shall **annually conduct a rolling five-year MO HealthNet forecast and** make recommendations in a report to the general assembly by January first each year, beginning in [2008] **2015**, on anticipated growth in the MO HealthNet program, needed improvements, anticipated needed

appropriations, and suggested strategies on ways to structure the state budget in order to satisfy the future needs of the program.”; and

Further amend said bill, page 70, section 208.275, line 49 of said page, by inserting immediately after said line the following:

“[208.955. 1. There is hereby established in the department of social services the “MO HealthNet Oversight Committee”, which shall be appointed by January 1, 2008, and shall consist of nineteen members as follows:

(1) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;

(2) Two members of the Senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;

(3) One consumer representative who has no financial interest in the health care industry and who has not been an employee of the state within the last five years;

(4) Two primary care physicians, licensed under chapter 334, who care for participants, not from the same geographic area, chosen in the same manner as described in section 334.120;

(5) Two physicians, licensed under chapter 334, who care for participants but who are not primary care physicians and are not from the same geographic area, chosen in the same manner as described in section 334.120;

(6) One representative of the state hospital association;

(7) Two nonphysician health care professionals, the first nonphysician health care professional licensed under chapter 335 and the second nonphysician health care professional licensed under chapter 337, who care for participants;

(8) One dentist, who cares for participants, chosen in the same manner as described in section 332.021;

(9) Two patient advocates who have no financial interest in the health care industry and who have not been employees of the state within the last five years;

(10) One public member who has no financial interest in the health care industry and who has not been an employee of the state within the last five years; and

(11) The directors of the department of social services, the department of mental health, the department of health and senior services, or the respective directors' designees, who shall serve as ex-officio members of the committee.

2. The members of the oversight committee, other than the members from the general assembly and ex-officio members, shall be appointed by the governor with the advice and consent of the senate. A chair of the oversight committee shall be selected by the members

of the oversight committee. Of the members first appointed to the oversight committee by the governor, eight members shall serve a term of two years, seven members shall serve a term of one year, and thereafter, members shall serve a term of two years. Members shall continue to serve until their successor is duly appointed and qualified. Any vacancy on the oversight committee shall be filled in the same manner as the original appointment. Members shall serve on the oversight committee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of social services for that purpose. The department of social services shall provide technical, actuarial, and administrative support services as required by the oversight committee. The oversight committee shall:

(1) Meet on at least four occasions annually, including at least four before the end of December of the first year the committee is established. Meetings can be held by telephone or video conference at the discretion of the committee;

(2) Review the participant and provider satisfaction reports and the reports of health outcomes, social and behavioral outcomes, use of evidence-based medicine and best practices as required of the health improvement plans and the department of social services under section 208.950;

(3) Review the results from other states of the relative success or failure of various models of health delivery attempted;

(4) Review the results of studies comparing health plans conducted under section 208.950;

(5) Review the data from health risk assessments collected and reported under section 208.950;

(6) Review the results of the public process input collected under section 208.950;

(7) Advise and approve proposed design and implementation proposals for new health improvement plans submitted by the department, as well as make recommendations and suggest modifications when necessary;

(8) Determine how best to analyze and present the data reviewed under section 208.950 so that the health outcomes, participant and provider satisfaction, results from other states, health plan comparisons, financial impact of the various health improvement plans and models of care, study of provider access, and results of public input can be used by consumers, health care providers, and public officials;

(9) Present significant findings of the analysis required in subdivision (8) of this subsection in a report to the general assembly and governor, at least annually, beginning January 1, 2009;

(10) Review the budget forecast issued by the legislative budget office, and the report required under subsection (22) of subsection 1 of section 208.151, and after study:

(a) Consider ways to maximize the federal drawdown of funds;

(b) Study the demographics of the state and of the MO HealthNet population, and how those demographics are changing;

(c) Consider what steps are needed to prepare for the increasing numbers of participants as a result of the baby boom following World War II;

(11) Conduct a study to determine whether an office of inspector general shall be established. Such office would be responsible for oversight, auditing, investigation, and performance review to provide increased accountability, integrity, and oversight of state medical assistance programs, to assist in improving agency and program operations, and to deter and identify fraud, abuse, and illegal acts. The committee shall review the experience of all states that have created a similar office to determine the impact of creating a similar office in this state; and

(12) Perform other tasks as necessary, including but not limited to making recommendations to the division concerning the promulgation of rules and emergency rules so that quality of care, provider availability, and participant satisfaction can be assured.

3. By July 1, 2011, the oversight committee shall issue findings to the general assembly on the success and failure of health improvement plans and shall recommend whether or not any health improvement plans should be discontinued.

4. The oversight committee shall designate a subcommittee devoted to advising the department on the development of a comprehensive entry point system for long-term care that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians;

(3) Create a delivery system that is easy to understand and access through multiple points, which shall include but shall not be limited to providers of services;

(4) Create a delivery system that is efficient, reduces duplication, and streamlines access to multiple funding sources and programs;

(5) Strengthen the long-term care quality assurance and quality improvement system;

(6) Establish a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies; and

(7) Study one-stop shopping for seniors as established in section 208.612.

5. The subcommittee shall include the following members:

(1) The lieutenant governor or his or her designee, who shall serve as the subcommittee chair;

- (2) One member from a Missouri area agency on aging, designated by the governor;
- (3) One member representing the in-home care profession, designated by the governor;
- (4) One member representing residential care facilities, predominantly serving MO HealthNet participants, designated by the governor;
- (5) One member representing assisted living facilities or continuing care retirement communities, predominantly serving MO HealthNet participants, designated by the governor;
- (6) One member representing skilled nursing facilities, predominantly serving MO HealthNet participants, designated by the governor;
- (7) One member from the office of the state ombudsman for long-term care facility residents, designated by the governor;
- (8) One member representing Missouri centers for independent living, designated by the governor;
- (9) One consumer representative with expertise in services for seniors or persons with a disability, designated by the governor;
- (10) One member with expertise in Alzheimer's disease or related dementia;
- (11) One member from a county developmental disability board, designated by the governor;
- (12) One member representing the hospice care profession, designated by the governor;
- (13) One member representing the home health care profession, designated by the governor;
- (14) One member representing the adult day care profession, designated by the governor;
- (15) One member gerontologist, designated by the governor;
- (16) Two members representing the aged, blind, and disabled population, not of the same geographic area or demographic group designated by the governor;
- (17) The directors of the departments of social services, mental health, and health and senior services, or their designees; and
- (18) One member of the house of representatives and one member of the senate serving on the oversight committee, designated by the oversight committee chair.

Members shall serve on the subcommittee without compensation but may be reimbursed for their actual and necessary expenses from moneys appropriated to the department of health and senior services for that purpose. The department of health and senior services shall provide technical and administrative support services as required by the committee.

6. By October 1, 2008, the comprehensive entry point system subcommittee shall submit its report to the governor and general assembly containing recommendations for the

implementation of the comprehensive entry point system, offering suggested legislative or administrative proposals deemed necessary by the subcommittee to minimize conflict of interests for successful implementation of the system. Such report shall contain, but not be limited to, recommendations for implementation of the following consistent with the provisions of section 208.950:

(1) A complete statewide universal information and assistance system that is integrated into the web-based electronic patient health record that can be accessible by phone, in-person, via MO HealthNet providers and via the internet that connects consumers to services or providers and is used to establish consumers' needs for services. Through the system, consumers shall be able to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer's choice;

(2) A mechanism for developing a plan of service or care via the web-based electronic patient health record to authorize appropriate services;

(3) A preadmission screening mechanism for MO HealthNet participants for nursing home care;

(4) A case management or care coordination system to be available as needed; and

(5) An electronic system or database to coordinate and monitor the services provided which are integrated into the web-based electronic patient health record.

7. Starting July 1, 2009, and for three years thereafter, the subcommittee shall provide to the governor, lieutenant governor and the general assembly a yearly report that provides an update on progress made by the subcommittee toward implementing the comprehensive entry point system.

8. The provisions of section 23.253 shall not apply to sections 208.950 to 208.955.]”;

Further amend the title and enacting clause accordingly.

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

Senator Richard offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section A, Line 9 of said page, by inserting after all of said line the following:

“8.010. 1. The governor, attorney general, **speaker of the house of representatives, president pro tempore of the senate**, and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. [The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote.] The board shall constitute a body corporate and politic. The board has general supervision

and charge of the public property of the state at the seat of government and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board.”; and

Further amend the title and enacting clause accordingly.

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

Senator Emery offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Bill No. 575, Page 2, Section 135.230, Line 21, by inserting immediately after said line the following:

“210.153. 1. There is hereby created in the department of social services the “Child Abuse and Neglect Review Board”, which shall provide an independent review of child abuse and neglect determinations in instances in which the alleged perpetrator is aggrieved by the decision of the children’s division. The division may establish more than one board to assure timely review of the determination. **In providing an independent review, the boards and their members shall act as unbiased finders of fact and shall be independent of any control or interference by the department of social services or employees of the department of social services. The boards shall act independently so as to assure that due process of the law is afforded to all parties involved in the proceedings.**

2. [The] **Each** board shall consist of nine members, who shall be appointed by the governor with the advice and consent of the senate[, and shall include:

(1) A physician, nurse or other medical professional;

(2) A licensed child or family psychologist, counselor or social worker;

(3) An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;

(4) A representative from law enforcement or a juvenile office.

3. Other members of the board may be selected from:

(1) A person from another profession or field who has an interest in child abuse or neglect;

(2) A college or university professor or elementary or secondary teacher;

(3) A child advocate;

(4) A parent, foster parent or grandparent]. **Each board member shall be a resident of the state of Missouri. The term of office of each board member shall be three years. At the time of their appointment, no more than five members of any board shall be of the same political party as the governor.**

[4.] **3.** The following persons may [participate in a child abuse and neglect review board review] **offer testimony in review proceedings before the board:**

(1) Appropriate children's division staff and legal counsel for the department;

(2) The alleged perpetrator, who may be represented pro se or be represented by legal counsel. The alleged perpetrator's presence is not required for the review to be conducted. The alleged perpetrator may submit a written statement for the board's consideration in lieu of personal appearance; [and]

(3) Witnesses **and such other persons as the board may call for expert advice** providing information on behalf of the child, the alleged perpetrator or the department. [Witnesses] **Such persons** shall only be allowed to attend that portion of the review in which they are presenting information;

(4) A physician, nurse, or other medical professional;

(5) A licensed child or family psychologist, counselor, or social worker;

(6) An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;

(7) A representative from law enforcement or a juvenile office;

(8) A person from another profession or field who has an interest in child abuse or neglect;

(9) A college or university professor or elementary or secondary teacher;

(10) A child advocate; or

(11) A parent, foster parent, or grandparent.

[5.] **4.** The members of the board shall serve without compensation, but shall receive reimbursement for reasonable and necessary expenses actually incurred in the performance of their duties.

[6.] **5.** All records and information compiled, obtained, prepared or maintained by the child abuse and neglect review board in the course of any review shall be confidential information.

[7.] **6.** The department shall promulgate rules and regulations governing the operation of the child abuse and neglect review board except as otherwise provided for in this section. These rules and regulations shall, at a minimum, [describe the length of terms] **provide that all witnesses are subject to cross examination, describe** the selection of the chairperson, confidentiality, notification of parties and time frames for the completion of the review.

[8.] **7.** Findings [of probable cause to suspect prior to August 28, 2004, or findings] by a preponderance of the evidence [after August 28, 2004,] of child abuse and neglect by the division which are substantiated by court adjudication shall not be heard by the child abuse and neglect review board.

8. No employee, former employee, contractor, or an immediate family member of an employee, former employee, or contractor of the department of social services shall serve on the board.”; and

Further amend the title and enacting clause accordingly.

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

Senator Dixon moved that **SS for SB 575**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS for SB 575**, as amended, was declared perfected and ordered printed.

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 taken up and adopted the Conference Committee Report on **SCS** for **HB 2014** and has taken up and passed **CCS** for **SCS** for **HB 2014**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 532**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 2014**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2014, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2014.
2. That the House recede from its position on House Bill No. 2014.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2014, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan W. Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Genise Montecillo

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer

Schmitt Sifton Silvey Wallingford Walsh Wasson—30

NAYS—Senator Lager—1

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HB 2014**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014**

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Lager—1

Absent—Senator Parson—1

Absent with leave—Senator Dempsey—1

Vacancies—2

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 892**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 892**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 892**

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections

relating to the presidential primary election date.

Was taken up.

Senator Kraus moved that **SCS** for **SB 892** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 892** was declared perfected and ordered printed.

Senator Wasson moved that **SB 809**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 809**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 809

An Act to repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.421, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, 327.635, RSMo, and to enact in lieu thereof fifty-one new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

Was taken up.

Senator Wasson moved that **SCS** for **SB 809** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 809** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 706**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 706**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 706

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions of patent infringement.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 706** be adopted.

Senator Cunningham offered **SS** for **SCS** for **SB 706**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 706

An Act to amend chapter 416, RSMo, by adding thereto five new sections relating to bad faith assertions of patent infringement.

Senator Cunningham moved that **SS** for **SCS** for **SB 706** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 706** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 500** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 500** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 695** be taken up for perfection, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 695, Page 2, Section 454.500, Line 49, by striking the word “shall” and inserting in lieu thereof the following: “**may, following the filing of a motion to modify, service of process, and opportunity for a hearing pursuant to this section,**”.

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

On motion of Senator Keaveny, **SB 695**, as amended, was declared perfected and ordered printed.

Senator Lager moved that **SJR 26** be taken up for perfection, which motion prevailed.

Senator Lager offered **SS** for **SJR 26**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 26

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

Senator Lager moved that **SS** for **SJR 26** be adopted.

Senator Dixon assumed the Chair.

Senator Kraus assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 26, Page 4, Section 23(a), Line 14, by inserting after all of said line the following:

“**Section 23(b). The amount of tax credits that may be issued in any fiscal year shall be less than the amount of tax credits issued in the previous fiscal year by at least five percent.**”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Lager, **SJR 26**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

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 **SB 734**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1796, regarding Harris-Stowe State University, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1797, regarding Samantha Lynn Whitaker, Eureka, which was adopted.

Senators Lamping and Nieves offered Senate Resolution No. 1798, regarding Angela Michelle Robinson, Chesterfield, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1799, regarding Tristiana Evanoff Bierut, St. Louis, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1800, regarding Elizabeth Ann Schneider, Florissant, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1801, regarding Katherine Marie Brown, Bridgeton, which was adopted.

Senators Lamping and Schmitt offered Senate Resolution No. 1802, regarding Rachel K. Brown, Ballwin, which was adopted.

Senators Lamping and Romine offered Senate Resolution No. 1803, regarding Melissa LouAnn LaChance, Park Hills, which was adopted.

Senators Lamping and Nasheed offered Senate Resolution No. 1804, regarding Dominique Marie Williams, St. Louis, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1805, regarding Rachel Lee Nasalroad, Florissant, which was adopted.

Senator Nieves offered Senate Resolution No. 1806, regarding C. Lee Parks, D.O., Union, which was adopted.

Senator Justus offered Senate Resolution No. 1807, regarding the One Hundred Twenty-fifth Anniversary of the Missouri Society of the Sons of the American Revolution, which was adopted.

Senator Justus offered Senate Resolution No. 1808, regarding Jacqueline VanTilburg, Fulton, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Lager introduced to the Senate, members of Great Northwest Days.

Senator Kraus introduced to the Senate, Dr. Joe Yasso and Dr. Phil Accardo, Lee's Summit.

Senator LeVota introduced to the Senate, Captain Travis Miller, Columbia; Captain Sean Edwards, New

Bloomfield; Sergeant Major Julie Erwin, Sergeant First Class Dan Thompson and Lieutenant Colonel Scott Miller, Jefferson City; Master Sergeant Kim Komar, Gladstone; Command Sergeant Major James Walters, Ashland; and Sergeant First Class James Neighbors, Independence.

Senator Keaveny introduced to the Senate, Ali Durhan, Yurel Aktas, Engin Blackstone and members of Turkish American Society of Missouri; the Niagara Foundation; and the Kyrgyzstan delegation.

Senator Richard introduced to the Senate, Head Coach Jeremy Phillips, Assistant Coaches Cody Crocker, Josh Sonis, Brett Watkins, Tyler Gordon, Donny Pennington, Managers Emily Massey, Brook Williams, Grace Box, Kelly Johnson and 2013-2014 Class 3 State Champion Neosho High School Wrestling members: Dalton Kivett, John Williams, Gannon Millard, Kyler Rea, Isaac Townsend, Jason Box, Cody Rains, Chance Branstetter, Sam Williams, Kyle Hostetter, Jacob Brock, Austin Hailey, Ben Elledge and Aaron Clardy.

Senator Nieves introduced to the Senate, Colonel Erica Williams, Lt. Colonel Randy Fuller, Lt. Colonel David Miller and members of the Civil Air Patrol.

On behalf of Senator Munzlinger and himself, Senator Pearce introduced to the Senate, Jason Price, Marshall; and Kevin Fischer, Keytesville.

Senator Sifton introduced to the Senate, members of South County Chamber of Commerce.

Senator Parson introduced to the Senate, teacher Darrin Griffin and high school students Giselle Campos and Chaney Housh, El Dorado Springs.

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

SENATE CALENDAR

—————
FORTY-NINTH DAY—WEDNESDAY, APRIL 9, 2014
—————

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1897-Kolkmeier	HCS for HB 1302
HB 1968-Gosen	HCS for HB 1326
HCS for HB 2040	HB 1617-Rehder, et al
HB 1380-Peters and Ellington	HCS for HB 1439
HCS for HB 1605	HCS for HB 1237
HB 2028-Peters, et al	HCS for HBs 1235 & 1214
HB 1670-Dunn, et al	HCS for HB 1303
HB 1744-Walton Gray, et al	HB 1305-Phillips, et al
HCS for HB 1745	HB 1138-Rowland
HB 1775-Colona and Hodges	

THIRD READING OF SENATE BILLS

SS for SCS for SB 666-Schmitt (In
Fiscal Oversight)
SCS for SB 729-Romine
SCS for SB 785-Kehoe

SB 812-Parson (In Fiscal Oversight)
SB 818-Kehoe
SCS for SB 854-Wasson
SB 734-Cunningham

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|--|
| 1. SB 890-Kehoe | 23. SB 550-Sater, with SCS |
| 2. SB 754-Sater and Justus | 24. SB 819-Wallingford, with SCS |
| 3. SB 617-Rupp and Parson, with SCS | 25. SBs 836 & 800-Munzlinger, with SCS |
| 4. SB 755-Wallingford | 26. SB 842-Parson |
| 5. SB 769-Pearce, with SCS | 27. SB 860-Cunningham |
| 6. SB 830-Parson | 28. SB 891-Kehoe |
| 7. SB 841-Wasson, with SCS | 29. SB 762-Schaefer, with SCS |
| 8. SB 919-Justus | 30. SB 875-Sater, with SCS |
| 9. SBs 787 & 804-Justus, with SCS | 31. SB 671-Sater |
| 10. SB 795-Lager | 32. SB 634-Parson, with SCS |
| 11. SB 887-Schaefer | 33. SB 642-Romine, with SCS |
| 12. SB 538-Keaveny and Holsman | 34. SB 848-LeVota, with SCS |
| 13. SB 786-Schmitt | 35. SB 566-Sifton |
| 14. SBs 638 & 647-Romine, with SCS | 36. SB 992-Dempsey |
| 15. SB 578-Kraus | 37. SB 966-Lager |
| 16. SB 655-Kraus | 38. SB 852-Schmitt, with SCS |
| 17. SB 659-Wallingford, with SCS | 39. SB 704-Lager, with SCS |
| 18. SB 717-Brown | 40. SB 758-Justus |
| 19. SB 794-Chappelle-Nadal | 41. SB 873-Brown, with SCS |
| 20. SB 866-Wasson and Cunningham | 42. SB 844-Dixon |
| 21. SB 824-Dixon, with SCS | 43. SB 641-Emery |
| 22. SB 724-Parson | 44. SB 869-Schmitt |

HOUSE BILLS ON THIRD READING

HB 1173-Burlison, et al (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 490-Lager and Kehoe, with SCS
SB 501-Keaveny

SB 518-Sater, with SCS, SA 2 & SA 1 to
SA 2 (pending)

SB 519-Sater, with SS & SA 1 (pending)
SS for SB 543-Munzlinger
SB 553-Emery, with SCS (pending)
SB 555-Nasheed, with SS & SA 1 (pending)
SB 573-Munzlinger, with SCS
SB 589-Brown, with SCS, SA 2 & SA 1 to
SA 2 (pending)
SB 599-Kraus, with SCS & SA 2 (pending)
SB 644-LeVota
SB 663-Munzlinger, with SCS
SB 692-Wasson, with SA 1 (pending)
SB 712-Walsh, with SCS & SS for SCS
(pending)

SB 739-Romine, with SCS, SS for SCS, SA 1
& SA 1 to SA 1 (pending)
SB 790-Dixon, with SA 3 & point of order
(pending)
SB 814-Brown
SB 846-Richard
SB 850-Munzlinger and Holsman, with SCS
& SS for SCS (pending)
SJR 25-Lager
SJR 26-Lager, with SS & SA 1 (pending)
SJR 34-Emery
SJR 42-Schmitt, with SS (pending)

RESOLUTIONS

Reported from Committee

SCR 34-LeVota
HCR 5-English, et al (Walsh)

HCR 11-Walton Gray, et al (Walsh)
HCS for HCR 20 (Munzlinger)

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