

# Journal of the Senate

FIRST REGULAR SESSION

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**SECOND DAY—THURSDAY, JANUARY 8, 2015**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord will keep your going out and coming in from this time on and forevermore.” (Psalm 121:8)

Almighty God, we trust Your word and during all the traveling we are about this session we ask that You “watch our going out and coming in.” Bring us safely home to loved ones this day and guide our thoughts and responsibilities that are before us. May we be found in Your house of prayer and our worship to Your honor and praise be acceptable to You. 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.

Senator Dempsey requested unanimous consent of the Senate to correct the Senate Journal for Wednesday, January 7, 2015, Page 58, to include the text of HCR 1 and HCR 2, which request was granted.

The following correction was made to the Journal for Wednesday, January 7, 2015, line 34, by inserting after said line:

“

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 21, 2015, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-eighth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.”;

and further correct same page, line 38, by inserting after said line:

“

## HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:00 a.m., Thursday, January 22, 2015, to receive a message from the Honorable Mary R. Russell, Chief Justice of the Supreme Court of the State of Missouri, and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-eighth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.”

The Journal for Wednesday, January 7, 2015, was read and approved as corrected.

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

## Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Sater offered Senate Resolution No. 11, regarding Barbara Spilman, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 12, regarding the Seventy-second Wedding Anniversary of Mr. and Mrs. Leon Aleshire, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 13, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Eutsler, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 14, regarding Judy Berkstresser, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 15, regarding the Fiftieth Wedding Anniversary of Lee and Vicki Jennings, Jane, which was adopted.

Senator Sater offered Senate Resolution No. 16, regarding the Fiftieth Wedding Anniversary of Ron and Janet Weldy, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 17, regarding the Sixtieth Wedding Anniversary of Gregory

and Betty Fier, Branson, which was adopted.

Senator Hegeman offered Senate Resolution No. 18, regarding Larry Atkins, Rea, which was adopted.

Senator Hegeman offered Senate Resolution No. 19, regarding Greg Wall, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 20, regarding Cyndee Merritt, Savannah, which was adopted.

Senator Silvey offered Senate Resolution No. 21, regarding Police Captain Kenneth F. Buck III, Gladstone, which was adopted.

Senator LeVota offered Senate Resolution No. 22, regarding the Palmer Center, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 23, regarding the death of Norman L. James, which was adopted.

Senator LeVota offered Senate Resolution No. 24, regarding the death of Victor D. Gragg, which was adopted.

The Senate observed a moment of silence for Mr. Bill Schwartz.

### **INTRODUCTION OF BILLS**

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

**SB 207**—By Pearce.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to withholding tax.

**SB 208**—By Sater.

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

**SB 209**—By Sater.

An Act to repeal section 537.325, RSMo, and to enact in lieu thereof one new section relating to livestock activities.

**SB 210**—By Schaefer.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes, with expiration dates.

**SB 211**— By Walsh and Dixon.

An Act to repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections

relating to the address confidentiality program administered by the secretary of state.

**SB 212**— By Walsh.

An Act to repeal section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the address confidentiality program, with penalty provisions.

**SB 213**— By Wallingford.

An Act to repeal sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, and 211.431, RSMo, and to enact in lieu thereof seventeen new sections relating to juvenile courts, with penalty provisions.

## RESOLUTIONS

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 25

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Twenty-third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

Be It Resolved by the Senate of the Ninety-eighth General Assembly, First Regular Session, that Senate Rules 25 and 28, be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, [7] **8** members.
3. Committee on Appropriations, 11 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, [10] **11** members.
5. Committee on Education, [10] **8** members.
6. Committee on Financial and Governmental Organizations and Elections, [10] **11** members.
7. Committee on General Laws **and Pensions**, 7 members.
8. Committee on Governmental Accountability and Fiscal Oversight, [7] **8** members.
9. Committee on Gubernatorial Appointments, [10] **11** members.
10. Committee on Jobs, Economic Development and Local Government, [10] **11** members.
11. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
12. Committee on Progress and Development, 5 members.
13. Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.
14. Committee on Seniors, Families and [Pensions] **Children**, 7 members.
15. Committee on Small Business, Insurance and Industry, [7] **8** members.

16. Committee on Transportation [and] Infrastructure **and Public Safety**, 7 members.

17. Committee on Veterans' Affairs and Health, 10 members.

18. Committee on Ways and Means, [10] 7 members. All committees shall have leave to report at any time.

The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Agriculture, Food Production and Outdoor Resources shall consider and report upon bills and matters referred to it relating to animals, animal disease, pest control, agriculture, food production, the state park system, conservation of the state's natural resources, soil and water, wildlife and game refuges.

3. The Committee on Appropriations shall consider and report upon all bills and matters referred to it pertaining to general appropriations and disbursement of public money.

4. The Committee on Commerce, Consumer Protection, Energy and the Environment shall consider and report upon bills and matters referred to it relating to the development of state commerce, the commercial sector, consumer protection, telecommunications and cable issues, the development and conservation of energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental preservation.

5. The Committee on Education shall consider and report upon bills and matters referred to it relating to education in the state, including the public schools, libraries, programs and institutions of higher learning.

6. The Committee on Financial and Governmental Organizations and Elections shall consider and report upon bills and matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency. The committee shall consider and report upon bills and matters referred to it relating to election law.

7. The Committee on General Laws **and Pensions** shall consider and report upon bills and matters referred to it relating to general topics **and retirement and pensions and pension plans**.

8. The Committee on Governmental Accountability and Fiscal Oversight shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management. The Committee on Governmental Accountability and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the

first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Governmental Accountability and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Governmental Accountability and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Governmental Accountability and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Governmental Accountability and Fiscal Oversight.

9. The Committee on Gubernatorial Appointments shall consider and report upon gubernatorial appointments referred to it.

10. The Committee on Jobs, Economic Development and Local Government shall consider and report upon bills and matters referred to it relating to the promotion of economic development, the creation and retention of jobs, tourism and the promotion of tourism as a state industry, community and business development, county government, township organizations and political subdivisions.

11. The Committee on the Judiciary and Civil and Criminal Jurisprudence shall consider and report upon bills and matters relating to the judicial department of the state including the practice of the courts of this state, civil procedure and criminal laws, criminal costs and all related matters. The Committee shall also consider and report upon bills and matters referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

12. The Committee on Progress and Development shall consider and report upon bills and matters referred to it concerning the changing or maintenance of issues relating to human welfare.

13. The Committee on Rules, Joint Rules, Resolutions and Ethics shall consider and report on rules for the government of the senate and joint rules when requested by the senate, shall consider, examine and report upon bills and matters referred to it relating to ethics and the conduct of public officials and employees, shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report. The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

14. The Committee on Seniors, Families and [Pensions] **Children** shall consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning [retirement and pensions and pension plans,] income maintenance, social services, and child support enforcement.

15. The Committee on Small Business, Insurance and Industry shall consider and report upon bills and matters referred to it relating to the ownership and operation of small businesses; and life, accident, indemnity and other forms of insurance. The committee shall also take into consideration and report on bills relating to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine bills referred to it relating to industrial development.

16. The Committee on Transportation [and], Infrastructure **and Public Safety** shall consider and report upon bills and matters referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating

to motor vehicles, motor vehicle registration and drivers' licenses **and matters relating to the safety of the general public.**

17. The Committee on Veterans' Affairs and Health shall consider and report upon bills and matters concerning veterans' affairs. The committee shall also consider and report upon bills and matters referred to it concerning health, MO HealthNet, alternative health care delivery system proposals, public health, disease control, hospital operations, mental health, developmental disabilities, and substance abuse and addiction.

18. The Committee on Ways and Means shall consider and report upon bills and matters referred to it concerning the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming.”.

Be It Further Resolved by the Senate of the Ninety-eighth General Assembly, First Regular Session, that the temporary rules adopted on January 7, 2015, as amended, hereby be adopted as the permanent rules of the Missouri Senate of the Ninety-eighth General Assembly.

### **REFERRALS**

Senator Dempsey referred the Gubernatorial Appointments appearing on pages 33 through 57 of the Senate Journal for Wednesday, January 7, 2015, to the Committee on Gubernatorial Appointments.

Senator Dempsey referred **SCR 1** and **SCR 2** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

January 7, 2015

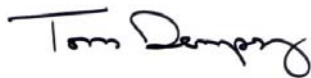
Ms. Adriane Crouse  
Secretary of the Senate  
State Capitol Building  
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to appoint Senator Jill Schupp to the Missouri Children's Trust Fund Board.

Please don't hesitate to contact my office if you have any questions.

Sincerely,



Tom Dempsey  
President Pro Tempore

### **GUESTS**

Senator Holsman introduced to the Senate, his wife, Robyn, and their children, Savannah and Grant, Kansas City; and Savannah and Grant were made honorary pages.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 12, 2015.

## SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 12, 2015

## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 1-Pearce	SB 32-Cunningham
SB 2-Pearce, et al	SB 33-Wallingford
SB 3-Pearce	SB 34-Wallingford
SB 4-Schmitt	SB 35-Wallingford
SB 5-Schmitt, et al	SB 36-Romine and Schatz
SB 6-Keaveny	SB 37-Romine
SB 7-Keaveny	SB 38-Romine
SB 8-Schaaf	SB 39-LeVota
SB 9-Schaaf	SB 40-LeVota
SB 10-Schaaf	SB 41-LeVota
SB 11-Richard	SB 42-Nasheed
SB 12-Munzlinger	SB 43-Nasheed
SB 13-Munzlinger	SB 44-Nasheed
SB 14-Munzlinger	SB 45-Holsman
SB 15-Dixon and LeVota	SB 46-Holsman
SB 16-Dixon	SB 47-Holsman
SB 17-Dixon	SB 48-Sifton
SB 18-Kraus	SB 49-Sifton
SB 19-Kraus	SB 50-Sifton
SB 20-Kraus	SB 51-Onder
SB 21-Chappelle-Nadal	SB 52-Schaaf
SB 22-Chappelle-Nadal	SB 53-Schaaf
SB 23-Chappelle-Nadal	SB 54-Munzlinger
SB 24-Sater	SB 55-Munzlinger
SB 25-Sater	SB 56-Munzlinger
SB 26-Sater	SB 57-Dixon
SB 27-Emery	SB 58-Dixon
SB 28-Emery	SB 59-Dixon
SB 29-Emery	SB 60-Chappelle-Nadal
SB 30-Cunningham	SB 61-Chappelle-Nadal
SB 31-Cunningham	SB 62-Chappelle-Nadal



SB 63-Sater	SB 103-LeVota
SB 64-Emery	SB 104-Kraus
SB 65-Emery	SB 105-Kraus
SB 66-Emery	SB 106-Kraus
SB 67-Cunningham	SB 107-Sater
SB 68-Romine	SB 109-Schaefer
SB 69-LeVota	SB 110-Schaefer
SB 70-LeVota	SB 111-Schaaf
SB 71-LeVota	SB 112-Dixon
SB 72-Nasheed	SB 113-Dixon
SB 73-Holsman	SB 114-Kraus
SB 74-Holsman	SB 115-Kraus
SB 75-Holsman	SB 116-Kraus
SB 76-Sifton	SB 117-Brown
SB 77-Sifton	SB 118-Brown
SB 78-Sifton	SB 119-Brown
SB 79-Dixon	SB 120-Walsh
SB 80-Dixon	SB 121-Walsh
SB 81-Dixon	SB 122-Walsh
SB 82-Chappelle-Nadal	SB 123-Schupp
SB 83-Chappelle-Nadal	SB 124-Schupp
SB 84-Chappelle-Nadal	SB 125-Schupp
SB 85-Emery	SB 126-Brown
SB 86-Emery	SB 127-Brown
SB 87-Emery	SB 128-Brown
SB 88-LeVota	SB 129-Brown
SB 89-LeVota	SB 130-Walsh and Schupp
SB 90-LeVota	SB 131-Parson
SB 91-Dixon	SB 132-Parson
SB 92-Emery	SB 133-Parson
SB 93-Emery	SB 134-Holsman
SB 94-Emery	SB 135-Holsman
SB 95-LeVota	SB 136-Sifton
SB 96-LeVota	SB 137-Parson
SB 97-LeVota	SB 138-Parson
SB 98-Emery	SB 139-Parson and Kehoe
SB 99-LeVota	SB 140-Parson
SB 100-LeVota	SB 141-Parson
SB 101-LeVota	SB 142-Romine
SB 102-LeVota	SB 143-Romine

SB 144-LeVota	SB 184-LeVota
SB 145-Pearce	SB 185-LeVota
SB 146-Pearce	SB 186-Curls
SB 147-Schaaf	SB 187-Curls
SB 148-Parson	SB 188-Curls
SB 149-Parson	SB 189-Curls
SB 150-Parson	SB 190-Curls
SB 151-Sater	SB 191-Curls
SB 152-Wallingford	SB 192-Munzlinger
SB 153-Wallingford	SB 193-LeVota
SB 154-Wallingford	SB 194-Richard and Holsman
SB 155-Nasheed	SB 195-Schmitt
SB 156-Nasheed	SB 196-Schaaf
SB 157-Wallingford	SB 197-Brown
SB 158-Schaefer	SB 198-Brown
SB 159-Parson	SB 199-Dixon
SB 160-Brown	SB 200-Dixon
SB 161-Nasheed	SB 201-Dixon
SB 162-Nasheed	SB 202-Dixon
SB 163-Nasheed	SB 203-Dixon
SB 164-Sifton	SB 204-Parson
SB 165-Nasheed	SB 205-Parson
SB 166-Nasheed	SB 206-Parson
SB 167-Schaaf	SB 207-Pearce
SB 168-Munzlinger	SB 208-Sater
SB 169-Schaaf	SB 209-Sater
SB 170-Kraus	SB 210-Schaefer
SB 171-Romine	SB 211-Walsh and Dixon
SB 172-Romine	SB 212-Walsh
SB 173-Romine	SB 213-Wallingford
SB 174-Schmitt	SJR 1-Munzlinger
SB 175-Schmitt	SJR 2-Dixon
SB 176-Schmitt	SJR 3-Chappelle-Nadal
SB 177-Munzlinger	SJR 4-Emery
SB 178-Munzlinger	SJR 5-Kraus
SB 179-Sater	SJR 6-Curls
SB 180-Chappelle-Nadal	SJR 7-Richard
SB 181-Curls	SJR 8-Schmitt
SB 182-Curls	SJR 9-Schmitt
SB 183-Curls	

INFORMAL CALENDAR

RESOLUTIONS

SR 25-Dempsey

HCR 2-Richardson (Richard)

HCR 1-Richardson (Richard)

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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