

Journal of the Senate

FIRST REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 11, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Praise the Lord! Happy are those who fear the Lord, who greatly delight in his commandments.” (Psalm 112:1)

Gracious God, everything seems clearer in the morning. You have answered our prayers for strength and guidance. You have heard our cries for help. You have touched our souls. So Lord, let Your spirit flow freely in us. Let Your love move us to reach out to others and may we share the joy we have in 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 Richard requested unanimous consent of the Senate to correct the Senate Journal for Tuesday, February 10, 2015, Page 315, Line 40, by inserting after said line, the following:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 11

Whereas, a college education provides students with a significant advantage in achieving the American Dream; and

Whereas, individuals with higher levels of education regularly benefit from lower unemployment, better jobs, increased chances for career advancement, and higher earning potential; and

Whereas, college graduates age 25 and over earn nearly twice as much as workers who stopped with a high school diploma; and

Whereas, the median earnings gap of graduates of a four-year college versus high school graduates has been increasing since the 1970's and continues to increase; and

Whereas, the pathway to a better life goes directly through college, but only if college is affordable for the student and the family; and

Whereas, the cost of a college education has increased twelve-fold over the last thirty years; and

Whereas, in 2012 63% of students graduating from a four-year institution in Missouri had student loan debt; and

Whereas, the average student loan debt for students graduating from a four-year institution in Missouri in 2012 was over \$24,000; and

Whereas, nearly 99,000 Missourians are currently making student loan payments; and

Whereas, 12.6% of students default on their student loan payments; and

Whereas, individuals who are not making student loan payments will be more active participants in a free-market economy; and

Whereas, 529 plans are a powerful investment tool for families and individuals to save funds for their children's future education expenses; and

Whereas, 529 plans are used as the "Pathway to College" for individuals who could not otherwise attend college; and

Whereas, 529 plans are readily available to any Missouri citizen; and

Whereas, minimum contributions can be as little as \$10, making it accessible for any person to save a little at a time, which will add up significantly once the student enters college; and

Whereas, by saving for college through a 529 plan, families can reduce their reliance on student loans, earn interest instead of paying interest and help their student leave college debt-free; and

Whereas, 529 plans can be used at almost any college or university in the country, giving every student the opportunity to attend the school that fits their needs; and

Whereas, 529 plans are an attractive investment tool because the funds invested grow deferred from federal and state taxation; and

Whereas, families which save with 529 plans can save an average of \$15,000 more over a 18-year period than if they were to save through a taxable account; and

Whereas, the number of 529 plans accounts have increased by over 700% since 2001, when qualified distributions became tax-free; and

Whereas, the President of the United States proposed a budget which would tax earnings accrued from a 529 plan, only to subsequently retract such proposal as a result of negative reaction:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to protect and strengthen the tax-deferred treatment of 529 college savings plans to promote students' chances of fulfilling the American Dream; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for each member of Missouri's Congressional delegation.

The Journal of the previous day 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 Wallingford offered Senate Resolution No. 306, regarding the Vasterling Building, Cape Girardeau, which was adopted.

Senator LeVota offered Senate Resolution No. 307, regarding the Missouri State Association of Parliamentarians, which was adopted.

INTRODUCTION OF BILLS

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

SB 427—By Sifton.

An Act to repeal section 210.221, RSMo, and to enact in lieu thereof two new sections relating to child care facilities, with an emergency clause.

Senator Pearce assumed the Chair.

SB 428—By Curls.

An Act to repeal section 105.961 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.961 as enacted by senate bill no. 16, ninety-first general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the enforcement power of the Missouri ethics commission, with existing penalty provisions.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 24**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 24**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to public assistance.

Was taken up.

Senator Sater moved that **SCS** for **SB 24** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 24**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to nonmedical public assistance.

Senator Sater moved that **SS** for **SCS** for **SB 24** be adopted.

Senator Kehoe assumed the Chair.

On motion of Senator Sater, **SB 24**, with **SCS** and **SS** for **SCS** (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 reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 149** and **SCS** for **SB 35**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCR 17**, **SCR 18** and **HCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 19—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 234—Judiciary and Civil and Criminal Jurisprudence.

SB 235—Judiciary and Civil and Criminal Jurisprudence.

SB 236—Transportation, Infrastructure and Public Safety.

SB 237—Progress and Development.

SB 238—General Laws and Pensions.

SB 239—Small Business, Insurance and Industry.

SB 240—Governmental Accountability and Fiscal Oversight.

SB 241—Progress and Development.

SB 242—Ways and Means.

SB 243—Veterans' Affairs and Health.

SB 244—Seniors, Families and Children.

SB 245—Jobs, Economic Development and Local Government.

SB 246—Judiciary and Civil and Criminal Jurisprudence.

SB 247—Small Business, Insurance and Industry.

SB 248—Education.

SB 249—Commerce, Consumer Protection, Energy and the Environment.

SB 250—Jobs, Economic Development and Local Government.

SB 251—Education.

SB 252—Transportation, Infrastructure and Public Safety.

SB 253—Commerce, Consumer Protection, Energy and the Environment.

- SB 254**—Transportation, Infrastructure and Public Safety.
- SB 255**—Agriculture, Food Production and Outdoor Resources.
- SB 256**—Seniors, Families and Children.
- SB 257**—Veterans' Affairs and Health.
- SB 258**—Jobs, Economic Development and Local Government.
- SB 259**—Seniors, Families and Children.
- SB 260**—Appropriations.
- SB 261**—Appropriations.
- SB 262**—Appropriations.
- SB 263**—Appropriations.
- SB 264**—Appropriations.
- SB 265**—Appropriations.
- SB 266**—Jobs, Economic Development and Local Government.
- SB 267**—Transportation, Infrastructure and Public Safety.
- SB 268**—Jobs, Economic Development and Local Government.
- SB 269**—Judiciary and Civil and Criminal Jurisprudence.
- SB 270**—General Laws and Pensions.
- SB 271**—Education.
- SB 272**—Transportation, Infrastructure and Public Safety.
- SB 273**—Education.
- SB 274**—Transportation, Infrastructure and Public Safety.
- SB 275**—Transportation, Infrastructure and Public Safety.
- SB 276**—General Laws and Pensions.
- SB 277**—General Laws and Pensions.
- SB 278**—Transportation, Infrastructure and Public Safety.
- SB 279**—Small Business, Insurance and Industry.
- SB 280**—Judiciary and Civil and Criminal Jurisprudence.
- SB 281**—Veterans' Affairs and Health.
- SB 282**—Small Business, Insurance and Industry.
- SB 283**—General Laws and Pensions.

SB 284—Jobs, Economic Development and Local Government.

SB 285—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

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

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 24**, 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 24** was again taken up.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 24, Page 9, Section 208.040, Line 3 of said page, by striking “twenty-four-month” and inserting in lieu thereof the following: “**thirty-six-month**”; and further amend line 18 of said page, by striking “twenty-four” and inserting in lieu thereof the following: “**thirty-six**”.

Senator Kraus assumed the Chair.

On motion of Senator Sater, **SB 24**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Chappelle-Nadal requested unanimous consent of the Senate to withdraw **SRM 1**, which request was granted.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert Hartnett, 508 Southeast Asobe Drive, Lee’s Summit, Jackson County, Missouri 64063, as chairman of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending February 10, 2019, and until his successor is duly appointed and qualified; vice, James S. Anderson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jade D. James, Democrat, 13008 Kinsley Heights Drive, Saint Louis, Saint Louis County, Missouri 63033, as a member of the State Board for the Registration of the Healing Arts, for a term ending September 3, 2016, and until her successor is duly appointed and qualified; vice, Daniel Osborn, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Trudi M. Foushee, Democrat, 1000 Bristol Manor Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until her successor is duly appointed and qualified; vice, Ann Pluemer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 308, regarding the Fiftieth Anniversary of the Missouri Head Start Association, Columbia, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 309, regarding the Chinese New Year, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 310, regarding John W. Woll, Florissant, which was adopted.

Senator Sater offered Senate Resolution No. 311, regarding the Ninety-fourth Birthday of Melvin Rodgers, Marionville, which was adopted.

Senator Sater offered Senate Resolution No. 312, regarding Judy Willard, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 313, regarding Monett Intermediate School, which was adopted.

Senator Sater offered Senate Resolution No. 314, regarding Jeramie Grosenbacher, Aurora, which was adopted.

Senator Romine offered Senate Resolution No. 315, regarding Ironton Lodge Hall, which was adopted.

Senator Romine offered Senate Resolution No. 316, regarding Francois Bernier House, Ste. Genevieve, which was adopted.

Senator Schaaf offered Senate Resolution No. 317, regarding Madison Pehlman, Kansas City, which

was adopted.

Senator Schaaf offered Senate Resolution No. 318, regarding Savanna Veronica Ott, Platte City, which was adopted.

Senator Schaaf offered Senate Resolution No. 319, regarding Shanna Marie Beyer, Parkville, which was adopted.

Senator Sifton offered Senate Resolution No. 320, regarding Saint Louis County Police, which was adopted.

Senator Sifton offered Senate Resolution No. 321, regarding Jim B. Simpson, Crestwood, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Emma Downing, Warrensburg; Tammy Dameron, FBLA Advisor; Jessica Tonnar, Lafayette High School; and Carly Carlton, Chillicothe High School.

Senator Pearce introduced to the Senate, Director Derek Lark, Randy Plattner and students Rachel Wansing and Josh Petzoldt, Saline County Career Center, Marshall; Counselor Laura Owen and students Chelsi Brown, Mackenzie Duff, William Grant, Dakota Sweeney and Madison Ford, Carrollton Area Career Center.

Senator Wallingford introduced to the Senate, Mayor Ken Baer and City Administrator Brent Buerck, Perryville; Cole Shelby, Zalma; and Seth Mooney, Fredericktown.

Senator Riddle introduced to the Senate, Abigail Robinson, Vandalia.

Senator Chappelle-Nadal introduced to the Senate, Taylor Bass, University City.

Senator Hegeman introduced to the Senate, Mekayla Sloan, Cameron; and Paige Kelley, Stanberry.

Senator Schupp introduced to the Senate, Brooklyn Bass, University City.

Senator Richard introduced to the Senate, Natasha “Sage” Rowe, Seneca; and Ashley Rorman, Lockwood.

Senator Holsman introduced to the Senate, Randy Wisthoff and Laura Berger, Kansas City; Rodney Murray, Grandview; and Jordan Perry Dove, Portageville.

Senator Munzlinger introduced to the Senate, Shannon Sullivan, Keytesville; and Caylie James, Meadville.

Senator Emery introduced to the Senate, Matthew Smith, Adrian.

Senator Emery introduced to the Senate, Cole Diggins, Bronaugh.

Senator Emery introduced to the Senate, Chase Osborn and Tommy Martin, Adrian; Jaclyn Crawford, Miami.

Senator Emery introduced to the Senate, Jacob Rapp, Riley Cameron, Jacob Thompson, Trevor DeLozier, Dexter Hammett, Madi Wheatley, Alli Steuck, Shelby Gould, and Hayley Klinksick, members

of Rich Hill FFA, and Brian Gillis, FFA Advisor and Jeff Steuck.

Senator Emery introduced to the Senate, Lamar Career & Technical Center Instructors, Lorraine Potter and Leland Smith, Director Scott Nolting and students Avery Roenththal, Golden City; Luis Lopez, Dadeville; Talon Stump, Jasper; Alex Beetler, Clayton Buzzard, Peyton Williams, Makayla Brown, Katelynn Hill, and Logan McArthur, Lamar.

Senator Libla introduced to the Senate, Madison Baker, Poplar Bluff; and Taylor Olin, Advance.

Senator Schatz introduced to the Senate, Hunter Wilkinson, Hermann.

Senator Schmitt introduced to the Senate, Alderman Mark Stallman, Ballwin.

Senator LeVota introduced to the Senate, Mayor Eileen Weir and Mayor Pro Tem Chris Whiting, Independence.

Senator Parson introduced to the Senate, Addison Stewart, Bolivar; and Ashley Yeater, Cole Camp.

Senator Kehoe introduced to the Senate, Karlie Reinkemeyer, Wardsville.

Senator Kehoe introduced to the Senate, Advisors Willard Haley and Matt Biddle and students from Eldon Career Center.

Senator Kehoe introduced to the Senate, California DECA officers, Morgan Henley, Jasmine Wells, Preston Peters, Emily Arnold, and Instructor Julia Potter.

Senator Kehoe introduced to the Senate, Nichols Career Center DECA, FBLA, Skills USA and FFA students, Kirsten Schmidt, Courtney Cole, Emily Hoelscher, Claudia Burcham, Danielle Protzman, Morgan John, Victoria Forck, Alicen Jennings and Counselor Travis Plume and his daughter, Ellen, Jefferson City.

Senator Pearce introduced to the Senate, Bonnie Branson, Higginsville; Aubry McGrath, Odessa; Allison Seiler, Lee's Summit; Mary Chiesi, Kansas City; and Jeanice Bradshaw, Kansas City, Kansas.

Senator Schaefer introduced to the Senate, Karen Brossi, Instructor and students from Boonslick Area Technical Center, Cooper and Howard Counties.

Senator Chappelle-Nadal introduced to the Senate, former State Representative Rick Stream, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Physician of the Day, John Holds, St. Louis.

Senator LeVota introduced to the Senate, Mike Pantleo and students from Fort Osage Career and Technology Center, Independence.

Senator Brown introduced to the Senate, students from Waynesville Career and Technical Center.

Senator Cunningham introduced to the Senate, Chandra Hubbs, Houston.

On behalf of Senator Dixon, the President introduced to the Senate, Jim and Shirley Kendall.

Senator Sater introduced to the Senate, Nathan Schoen, Mt. Vernon; and Daniel Gunther, Clever.

Senator Riddle introduced to the Senate, Alex Heitgerd and Sam Cobb, Warrenton.

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

SENATE CALENDAR

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 12, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 286-Schaaf and Silvey	SB 316-Brown
SB 287-Silvey	SB 317-Brown
SB 288-Schatz	SB 318-Cunningham and Libla
SB 289-Schatz	SB 319-Schaaf and Silvey
SB 290-Schaefer	SB 320-Wallingford
SB 291-Cunningham	SB 321-Hegeman
SB 292-Munzlinger	SB 322-Dempsey
SB 293-Parson	SB 323-Munzlinger
SB 294-Schaaf	SB 324-Munzlinger
SB 295-Schaaf	SB 325-Sater
SB 296-Schaaf	SB 326-Sater
SB 297-Holsman	SB 327-Onder
SB 298-Kraus	SB 328-Schupp
SB 299-Pearce	SB 329-Schupp
SB 300-Silvey	SB 330-Parson
SB 301-Silvey	SB 331-Libla
SB 302-Riddle	SB 332-Nasheed
SB 303-Keaveny	SB 333-Nasheed
SB 304-Keaveny	SB 334-Nasheed
SB 305-Onder	SB 335-Holsman
SB 306-Onder	SB 336-Kraus
SB 307-Curls	SB 337-Munzlinger
SB 308-Curls	SB 338-Munzlinger
SB 309-Curls	SB 339-Munzlinger
SB 310-Emery	SB 340-Pearce
SB 311-Emery	SB 341-Riddle
SB 312-Schmitt	SB 342-Brown
SB 313-Wallingford	SB 343-Wasson
SB 314-Wallingford	SB 344-Wasson
SB 315-Dixon	SB 345-Wasson

SB 346-Wasson	SB 386-Keaveny
SB 347-Dixon	SB 387-Wasson
SB 348-Schaefer	SB 388-Wasson
SB 349-Schaefer	SB 389-Silvey and Walsh
SB 350-Schaefer	SB 390-Curls
SB 351-Schaefer	SB 391-Curls
SB 352-Schaefer	SB 392-Wieland
SB 353-Silvey	SB 393-Schupp
SB 354-Sater	SB 394-Wallingford
SB 355-Brown	SB 395-Holsman
SB 356-Nasheed	SB 396-Holsman
SB 357-Nasheed	SB 397-Silvey
SB 358-Kehoe	SB 398-Schatz
SB 359-Kehoe	SB 399-Onder
SB 360-Parson	SB 400-Onder
SB 361-Parson	SB 401-Schmitt and Richard
SB 362-Parson	SB 402-Wieland
SB 363-Parson	SB 403-Kehoe
SB 364-Parson	SB 404-Kehoe
SB 365-Schmitt	SB 405-Hegeman
SB 366-Schmitt	SB 406-Munzlinger
SB 367-Kraus	SB 407-Onder
SB 368-Pearce	SB 408-Libla
SB 369-Pearce	SB 409-Wallingford
SB 370-Munzlinger	SB 410-Wallingford
SB 371-Munzlinger	SB 411-Brown
SB 372-Keaveny	SB 412-Romine
SB 373-Libla	SB 413-Romine
SB 374-Schatz	SB 414-Wasson
SB 375-Schatz	SB 415-Wasson
SB 376-Schatz	SB 416-Wasson
SB 377-Schatz	SB 417-Chappelle-Nadal
SB 378-Schatz	SB 418-Chappelle-Nadal
SB 379-Schatz	SB 419-Silvey
SB 380-Wieland	SB 420-Schmitt
SB 381-Dixon	SB 421-Dixon
SB 382-Dixon	SB 422-Schaaf
SB 383-Wallingford	SB 423-Brown
SB 384-Munzlinger	SB 424-Pearce
SB 385-Keaveny	SB 425-Libla

SB 426-Parson	SJR 9-Schmitt
SB 427-Sifton	SJR 10-Sater
SB 428-Curls	SJR 11-Emery
SJR 6-Curls	SJR 12-Onder
SJR 7-Richard and Wallingford	SJR 13-Schaaf
SJR 8-Schmitt	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259	HB 150-Fitzpatrick
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THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)	SS for SCS for SB 5-Schmitt
SCS for SB 38-Romine (In Fiscal Oversight)	SS for SCS for SB 149-Parson
SS for SB 14-Munzlinger	SCS for SB 35-Wallingford
SS for SCS for SB 26-Sater	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 24-Sater, with SCS, SS for SCS & SA 1
(pending)

RESOLUTIONS

Reported from Committee

SCR 2-Nasheed	SCR 11-Schmitt, with SCS
SCR 10-Munzlinger	

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