

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—THURSDAY, FEBRUARY 19, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore my heart is glad, and my soul rejoices; my body also rests secure.” (Psalm 16:9)

Gracious God, as we finish up here and head home we are thankful that You have given us that special “homing instinct” that calls us back home to loved ones for which we are most thankful. And, may we live as those who feel at home with You, our God, and the people whom You gather together for worship and service. 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 | 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 Curls offered Senate Resolution No. 421, regarding Missouri Foster Grandparent Programs, which was adopted.

Senator Wieland offered Senate Resolution No. 422, regarding Wanda Kiggans, Hillsboro, which was adopted.

Senator Sater offered Senate Resolution No. 423, regarding Mike Powell, Springfield, which was adopted.

Senator Sater offered Senate Resolution No. 424, regarding the Ninetieth Birthday of Lula Mae Coffee, Jane, which was adopted.

Senator Sater offered Senate Resolution No. 425, regarding the Fifty-fifth Wedding Anniversary of Stanley W. and Suzanne L. Potter, Lampe, which was adopted.

CONCURRENT RESOLUTIONS

Senator Holsman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 24

Whereas, the first President of the United States George Washington stated, "The basis of our political systems is the right of the people to make and to alter their Constitutions of Government."; and

Whereas, it was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be "dependent on the people alone." (James Madison, Federalist 52); and

Whereas, that dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and

Whereas, the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) removed restrictions on amounts of independent political spending; and

Whereas, the removal of those restrictions has resulted in the unjust influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws, and determine the fate of our state; and

Whereas, Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and

Whereas, the state of Missouri sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission* (2010) 130 S.Ct. 876 and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that said convention should be so limited; and

Whereas, the state of Missouri desire that the delegates to said convention shall be comprised equally of individuals currently elected to state and local office, or be selected by election, in each congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and

Whereas, the state of Missouri intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 2013-2014 Illinois legislature as Senate Joint Resolution No. 42, and all other passed, pending, and future applications, the aforementioned concerns of Missouri notwithstanding until such time as two-thirds of the several states have applied for a convention and said convention is convened by Congress:

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 call a convention for the purpose of proposing amendments to the Constitution of the United States of America as soon as two-thirds of the several states have applied for a convention; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States in his capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate and the members of the Missouri Congressional delegation with the respectful request that the full and

complete text of this resolution be printed in the *Congressional Record*; to the Governor of each state, and to the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution.

Senator Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, recognizing that chronic wasting disease has impacted the state and threatens Missouri deer, deer hunters, wildlife enthusiasts, and landowners; and

Whereas, a disproportionate negative impact on certain areas of the state that depend on a healthy and vibrant deer population has been felt; and

Whereas, Missouri jobs, businesses, and communities are strongly supported by the economic activity related to hunting; and

Whereas, encouraging a safe, healthy, and lucrative hunting industry in Missouri will give rise to good paying jobs, significant economic development, and profitable recreational activity:

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 create the Missouri Wildlife Revitalization Task Force; and

Be It Further Resolved that the mission of the task force shall be to fully consider:

- (1) Establishing a wildlife focus area in certain areas of the state that have been most negatively impacted by chronic wasting disease;
- (2) Ways to revitalize hunting and outdoor activities in certain areas of the state after a chronic wasting disease containment plan has been initiated;
- (3) Legislative proposals including rules and regulations necessary for implementation relating to the promotion of the hunting industry;
- (4) The effects of chronic wasting disease on certain areas in Missouri, including counties that have experienced confirmed cases of the disease, and how the enactment or establishment of certain proposals may curtail such effects; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of all of the following members:

(1) One member of the General Assembly of the majority party appointed by the President Pro Tempore of the Senate to serve as the chair of the task force, with preference given to General Assembly members serving the affected area;

(2) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the President Pro Tempore of the Senate to serve as members of the task force, with preference given to General Assembly members serving the affected area; and

(3) One member of the General Assembly of the majority party appointed by the Speaker of the House of representatives, with preference given to a General Assembly member serving the affected area, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and

(4) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the Speaker of the House of Representatives to serve as members of the task force, with preference given to a General Assembly member serving the affected area; and

(5) One member from Quail Forever, Incorporated appointed by the President Pro Tempore of the Senate to serve as a member of the task force;

(6) One member from Pheasants Forever, Incorporated appointed by the President Pro Tempore of the Senate to serve as a member of the task force;

(7) One member from Whitetails Unlimited appointed by the Speaker of the House of Representatives to serve as a member of the task force;

(8) One member from the Conservation Federation of Missouri appointed by the Speaker of the House of Representatives to serve as a member of the task force;

(9) Two members owning land in an affected area appointed by the President Pro Tempore of the Senate to serve as members of the task force;

(10) Two members owning land in an affected area appointed by the Speaker of the House of Representatives to serve as members of the task force; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

Be It Further Resolved that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2015, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly and the Missouri Department of Conservation; and

Be It Further Resolved that this resolution does not amend any state law to which the Department of Conservation or the Department of Agriculture is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Conservation.

Senator Dempsey offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 26

Whereas, human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services; and

Whereas, the human trafficking industry generates one hundred fifty billion dollars in annual profits throughout the world on the backs of an estimated twenty-one million victims, including five and a half million children; and

Whereas, despite the efforts of dozens of nonprofit organizations dedicated to fighting human trafficking, it is the fastest growing criminal industry in the world:

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 create the Human Trafficking Task Force; and

Be It Further Resolved that the mission of the task force shall be to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) Two members of the Senate to be appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) The Attorney General or his or her designee;
- (4) The Director of the Department of Public Safety or his or her designee;
- (5) The Director of the Department of Corrections or his or her designee;
- (6) A circuit court judge who has experience handling juvenile court matters, appointed by the President Pro Tempore of the Senate;
- (7) A prosecuting or circuit attorney, appointed by the Speaker of the House of Representatives;
- (8) A juvenile officer from a circuit court, appointed by the President Pro Tempore of the Senate;
- (9) The Commissioner of Education or his or her designee;
- (10) The Director of the Department of Social Services or his or her designee;
- (11) The Director of the Department of Mental Health or his or her designee;

(12) One representative from the Missouri Police Chiefs Association, appointed by the President Pro Tempore of the Senate, and one representative from the Missouri Sheriffs Association, appointed by the Speaker of the House of Representatives;

(13) Four representatives from geographically diverse non-governmental organizations that assist victims of human trafficking, two of whom shall be appointed by the President Pro Tempore of the Senate and two of whom shall be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

Be It Further Resolved that the task force shall meet within two months from adoption of this resolution; and

Be It Further Resolved that the task force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2017; and

Be It Further Resolved that the Human Trafficking Task Force is authorized to function during the legislative interim of both the first and second regular sessions of the 98th General Assembly, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

Be It Further Resolved that the task force shall terminate on January 1, 2017; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Corrections, the Director of the Department of Mental Health, the Director of the Department of Elementary and Secondary Education, and the Director of the Department of Social Services.

INTRODUCTION OF BILLS

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

SB 462—By Schaefer.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a deduction for certain federal tax payments.

SB 463—By Dixon.

An Act to repeal sections 135.1150 and 135.1180, RSMo, and to enact in lieu thereof two new sections relating to benevolent tax credits.

SB 464—By Dixon.

An Act to repeal sections 135.341, 210.001, 210.110, 455.230, and 492.304, RSMo, and to enact in lieu thereof six new sections relating to child protection.

SB 465—By Schmitt.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to curriculum for degrees offered by public colleges and universities.

SB 466—By Schmitt.

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to treatment policies in health care facilities.

SB 467—By Sifton.

An Act to repeal sections 516.371 and 537.046, RSMo, section 556.036 as enacted by senate bill

no. 491, ninety-seventh general assembly, second regular session, section 556.036 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 556.037 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.037 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to statutes of limitations for certain offenses against a child, with existing penalty provisions.

SB 468—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the management of dyslexia and related disorders in public schools.

SB 469—By Munzlinger.

An Act to repeal sections 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, and 266.347, RSMo, and to enact in lieu thereof six new sections relating to the establishment of the fertilizer control board, with penalty provisions.

SB 470—By Parson.

An Act to repeal section 379.470, RSMo, and to enact in lieu thereof one new section relating to authorizing a return of premiums paid by insureds.

SB 471—By Schaaf.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

SB 472—By Schaaf.

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to the registration of radiology technologists.

SB 473—By Schaaf.

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

SB 474—By Wallingford.

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way designation program.

SB 475—By Dempsey.

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof two new sections relating to the intervention of the general assembly in certain civil actions.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following

appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Christina M. Ferguson, as a member of the State Board of Pharmacy;

Also,

Thomas Rodenberg, Democrat, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees;

Also,

James H. Chapman III, Democrat, as a member of the Elevator Safety Board;

Also,

Christie L. Rodriguez, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Ve'Shawn Dixon, as the student representative of the Northwest Missouri State University Board of Regents; and

Leland M. Shurin, Democrat, as a member of the Missouri Gaming Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 104, introduced by Senator Kraus, entitled:

An Act to repeal section 116.190, RSMo, and to enact in lieu thereof one new section relating to actions challenging initiatives and referendums.

Was taken up.

On motion of Senator Kraus, **SB 104** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|--------|------------|------------|----------|--------|---------|---------|-------------|
| Brown | Cunningham | Dempsey | Dixon | Emery | Hegeman | Keaveny | Kehoe |
| Kraus | Libla | Munzlinger | Onder | Parson | Pearce | Richard | Riddle |
| Romine | Sater | Schaaf | Schaefer | Schatz | Schmitt | Silvey | Wallingford |
| Wasson | Wieland—26 | | | | | | |

NAYS—Senators

| | | | | | | | |
|-----------------|-------|---------|--------|---------|--------|--------|---------|
| Chappelle-Nadal | Curls | Holsman | LeVota | Nasheed | Schupp | Sifton | Walsh—8 |
|-----------------|-------|---------|--------|---------|--------|--------|---------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

Senator Kraus 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 Pearce moved that **SB 1, SB 22, SB 49** and **SB 70**, with **SCS, SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SSA 1 for **SA 1**, as amended, was again taken up.

Senator Onder moved that the above substitute amendment be adopted, which motion failed on a standing division vote.

Senator Schmitt assumed the Chair.

President Kinder assumed the Chair.

Senator Dempsey offered **SSA 2** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 43, Section 162.1250, Lines 58-59, by striking said lines and inserting in lieu thereof the following: “**student enrolled in an unaccredited district or provisionally accredited district is eligible to enroll in a**”.

Senator Dempsey moved that the above substitute amendment be adopted.

Senator Chappelle-Nadal offered **SA 1** to **SSA 2** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE SUBSTITUTE AMENDMENT NO. 2 FOR SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 4, by inserting immediately after the word “district” the following: “**or any district that has a three-year average annual performance report score consistent with a state board of education classification of provisionally accredited or unaccredited**”.

Senator Kehoe assumed the Chair.

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

Senator Dempsey moved that **SSA 2** for **SA 1**, as amended, be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 58, Section 167.826,

Line 63, by inserting immediately after the word “students” the following: **“except that a charter school for which the department of elementary and secondary education has not generated an annual performance report because the charter school has not been in operation for three school years may receive transfer students. When the department generates an annual performance report for such a charter school, if the score is less than seventy, any students who previously transferred to the charter school may remain enrolled in the charter school but no additional students may transfer to the charter school.”**.

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

Senator Romine offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 83, Section 1, Line 1, by striking the words “each school district” and inserting in lieu thereof the following: **“each metropolitan school district, urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants”**.

Senator Romine moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Sifton offered SA 1 to SA 3:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 3 of said amendment by inserting after the word “district” the following: **“at any time it is underperforming”**; and further amend line 6 by inserting after the first use of the word “county” the following: **“at any time it is underperforming”**; and further amend line 8 by inserting after the word “inhabitants” the following: **“at any time it is underperforming”**; and

Further amend said bill and section, page 84, line 36 by inserting after all of said line the following:

(5) “Underperforming”, a school district that has been classified as unaccredited or provisionally accredited by the state board of education or has a three-year average annual performance report score consistent with a state board of education classification of provisionally accredited or unaccredited.

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

Senator Romine moved that SA 3, as amended, be adopted, which motion prevailed.

Senator Schaaf offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 34, Section 160.425, Line 78, by inserting after all of said line the following:

“160.671. 1. A school board member of any urban school district located in a home rule city with

more than seventy-one thousand but fewer than seventy-nine thousand inhabitants may be removed by the voters in a recall election. Such election shall be held upon the submission of a petition signed by voters of the district equal in number to at least ten percent of the number of persons voting at the last preceding election to elect a district board member. The petition shall be filed with the election authority and the secretary of the district board of education, and the petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall provide the street and number of his or her residence. The person who files the petition with the election authority shall sign an affidavit that the signatures attached are true and correct to the best of his or her knowledge.

2. Within thirty days from the date of filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall attach to the petition his or her certificate, showing the result of the examination. If the election authority finds the petition to be insufficient, the petition shall be returned to the person filing the petition, without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the election authority shall submit the petition to the district board without delay. If the petition shall be found to be sufficient, the district board shall order the question to be submitted to the voters of the district on election days specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the board receives the petition.

3. If a majority of the voters vote in favor of retaining the member, the member shall remain in office and shall not be subject to another recall election during his or her term of office. If a majority of voters vote to remove the member, his or her successor shall be chosen as provided in section 162.471 for urban school districts.”; and

Further amend said bill, Page 42, Section 162.081, Line 148, by inserting after all of said line the following:

“162.471. 1. The government and control of an urban school district is vested in a board of seven directors. Each director shall be a voter of the district who has resided within this state for one year next preceding his election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492 **and in subsection 2 of this section**, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold his office until the next school board election, when his successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

2. All vacancies occurring in the school board of any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants shall be filled by appointment of the county commission of a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat. The person appointed by the county commission shall hold office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term.

162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban

districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsections 4 and 5 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where

one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.

162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Chappelle-Nadal raised the point of order that **SA 4** is out of order in that it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Pearce, **SB 1, SB 22, SB 49** and **SB 70**, with **SCS, SA 4** and point of order (pending), were placed on the Informal Calendar.

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 **HB 64**, entitled:

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to open-end credit fees.

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 **HJR 1**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

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 524**, entitled:

An Act to repeal sections 301.640 and 306.420 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 301.640 as enacted by senate bill no. 82, ninety-fourth general assembly, first regular session, and 306.420 as enacted by house bill no. 2008 merged with senate bill no. 895, ninety-first general assembly, second regular session, and 700.370, RSMo, and to enact in lieu thereof four new sections relating to the electronic transmission of motor vehicle lien documents.

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 615**, entitled:

An Act to repeal sections 287.040, 287.090, 287.140, 287.957, and 287.975, RSMo, and to enact in lieu thereof six new sections relating to workers' compensation, with an existing penalty provision.

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 **HCS No. 2** for **HB 63**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to primary elections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 110**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 113**, begs leave to report that

it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 148**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 330**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 131**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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 **HCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Kehoe assumed the Chair.

SECOND READING OF SENATE BILLS

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

SB 332—Agriculture, Food Production and Outdoor Resources.

SB 333—Judiciary and Civil and Criminal Jurisprudence.

SB 334—Education.

SB 335—Small Business, Insurance and Industry.

SB 336—Ways and Means.

SB 337—Rules, Joint Rules, Resolutions and Ethics.

SB 338—Financial and Governmental Organizations and Elections.

SB 339—Jobs, Economic Development and Local Government.

SB 340—Judiciary and Civil and Criminal Jurisprudence.

SB 341—Seniors, Families and Children.

SB 342—Veterans' Affairs and Health.

SB 343—Ways and Means.

SB 344—Transportation, Infrastructure and Public Safety.

SB 345—Financial and Governmental Organizations and Elections.

SB 346—Small Business, Insurance and Industry.

SB 347—Governmental Accountability and Fiscal Oversight.

SB 348—Appropriations.

SB 349—Transportation, Infrastructure and Public Safety.

SB 350—Ways and Means.

SB 351—Commerce, Consumer Protection, Energy and the Environment.

SB 352—Judiciary and Civil and Criminal Jurisprudence.

SB 353—Ways and Means.

SB 354—Small Business, Insurance and Industry.

SB 355—Transportation, Infrastructure and Public Safety.

SB 356—Transportation, Infrastructure and Public Safety.

SB 357—Transportation, Infrastructure and Public Safety.

SB 358—Commerce, Consumer Protection, Energy and the Environment.

SB 359—Commerce, Consumer Protection, Energy and the Environment.

SB 360—Progress and Development.

REFERRALS

President Pro Tem Dempsey referred **HCR 21** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Dempsey re-referred **SB 319** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 23, 2015.

SENATE CALENDAR

TWENTY-FIFTH DAY--MONDAY, FEBRUARY 23, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

| | |
|-------------------------|----------------------------|
| SB 361-Parson | SB 391-Curls |
| SB 362-Parson | SB 392-Wieland |
| SB 363-Parson | SB 393-Schupp |
| SB 364-Parson | SB 394-Wallingford |
| SB 365-Schmitt | SB 395-Holsman |
| SB 366-Schmitt | SB 396-Holsman |
| SB 367-Kraus | SB 397-Silvey |
| SB 368-Pearce | SB 398-Schatz |
| SB 369-Pearce | SB 399-Onder |
| SB 370-Munzlinger | SB 400-Onder |
| SB 371-Munzlinger | SB 401-Schmitt and Richard |
| SB 372-Keaveny | SB 402-Wieland |
| SB 373-Libla | SB 403-Kehoe |
| SB 374-Schatz | SB 404-Kehoe |
| SB 375-Schatz | SB 405-Hegeman |
| SB 376-Schatz | SB 406-Munzlinger |
| SB 377-Schatz | SB 407-Onder |
| SB 378-Schatz | SB 408-Libla |
| SB 379-Schatz | SB 409-Wallingford |
| SB 380-Wieland | SB 410-Wallingford |
| SB 381-Dixon | SB 411-Brown |
| SB 382-Dixon | SB 412-Romine |
| SB 383-Wallingford | SB 413-Romine |
| SB 384-Munzlinger | SB 414-Wasson |
| SB 385-Keaveny | SB 415-Wasson |
| SB 386-Keaveny | SB 416-Wasson |
| SB 387-Wasson | SB 417-Chappelle-Nadal |
| SB 388-Wasson | SB 418-Chappelle-Nadal |
| SB 389-Silvey and Walsh | SB 419-Silvey |
| SB 390-Curls | SB 420-Schmitt |

| | |
|--------------------------|-----------------------|
| SB 421-Dixon | SB 450-Emery |
| SB 422-Schaaf | SB 451-Dixon |
| SB 423-Brown | SB 452-Schmitt, et al |
| SB 424-Pearce | SB 453-LeVota |
| SB 425-Libla | SB 454-LeVota |
| SB 426-Parson | SB 455-Kehoe |
| SB 427-Sifton | SB 456-Kehoe |
| SB 428-Curls | SB 457-Sater |
| SB 429-Schaaf | SB 458-Sater |
| SB 430-Curls | SB 459-Libla |
| SB 431-Onder | SB 460-Silvey |
| SB 432-Onder | SB 461-Wieland |
| SB 433-Dixon and Dempsey | SB 462-Schaefer |
| SB 434-Schmitt | SB 463-Dixon |
| SB 435-Walsh | SB 464-Dixon |
| SB 436-Walsh | SB 465-Schmitt |
| SB 437-Walsh | SB 466-Schmitt |
| SB 438-Dempsey | SB 467-Sifton |
| SB 439-LeVota | SB 468-Sifton |
| SB 440-Sifton, et al | SB 469-Munzlinger |
| SB 441-Schaefer | SB 470-Parson |
| SB 442-Schaefer | SB 471-Schaaf |
| SB 443-Schatz | SB 472-Schaaf |
| SB 444-Schaaf | SB 473-Schaaf |
| SB 445-Romine | SB 474-Wallingford |
| SB 446-Schupp and Brown | SB 475-Dempsey |
| SB 447-Wieland | SJR 13-Schaaf |
| SB 448-Wieland | SJR 14-Dixon |
| SB 449-Kraus | |

HOUSE BILLS ON SECOND READING

| | |
|-----------------------|-----------------|
| HCS for HB 259 | HJR 1-Dugger |
| HB 150-Fitzpatrick | HB 524-Dugger |
| HB 241-Davis | HB 615-Dohrman |
| HCS for HBs 116 & 569 | HCS#2 for HB 63 |
| HB 64-Dugger | |

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 24-Sater
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

| | |
|---|-------------------------|
| SB 19-Kraus, with SCS | SB 110-Schaefer |
| SB 115-Kraus, with SCS | SB 122-Walsh, with SCS |
| SB 174-Schmitt and Chappelle-Nadal, with SCS | SB 142-Romine, with SCS |
| SB 82-Chappelle-Nadal | SB 330-Parson |
| | SB 131-Parson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

| | |
|---|---------------|
| SBs 1, 22, 49 & 70-Pearce, with SCS, SA 4 & point of order (pending) | SB 205-Parson |
|---|---------------|

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

Reported 2/19

SB 116-Kraus
SB 113-Dixon

SB 148-Parson

RESOLUTIONS

Reported from Committee

HCR 20-Lynch

To be Referred

SCR 24-Holsman
SCR 25-Munzlinger

SCR 26-Dempsey

