

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—MONDAY, APRIL 20, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Rejoice in the Lord, O you righteous. Praise befits the upright.” (Psalm 33:1)

Creator God, we give thanks for You have given us a new and wonderful day, safe travel and meaningful work to do. We celebrate the joy that comes from You that goes beyond circumstances to the very foundation of life with You. Your Word is uplifting and gives us knowledge that we are loved and a command to love one another. So, we pray that You will help us be truly thankful for such a new day that helps us rejoice in Your teachings. 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	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—33

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 824, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Lee “Dick” Stottlemeyer, Unionville, which was adopted.

Senator Libla offered Senate Resolution No. 825, regarding Alexa King, Poplar Bluff, which was adopted.

Senator Hegeman offered Senate Resolution No. 826, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Don Masters, Gallatin, which was adopted.

Senator Kraus offered Senate Resolution No. 827, regarding the Twentieth Anniversary of the Blue Ridge Church of Christ, Kansas City, which was adopted.

Senator Wieland offered Senate Resolution No. 828, regarding Sally J. Vinyard, Festus, which was adopted.

Senator Schaaf offered Senate Resolution No. 829, regarding Russell Gray, Saint Joseph, which was adopted.

Senator Wallingford offered Senate Resolution No. 830, regarding Vivek Malik, which was adopted.

Senator Sifton offered Senate Resolution No. 831, regarding Charles DeYoung, which was adopted.

Senator Romine offered Senate Resolution No. 832, regarding Darla Radford, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 833, regarding Ruby Cox, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 834, regarding Bonnie Terrell, Cedar Hill, which was adopted.

Senator Romine offered Senate Resolution No. 835, regarding Sue Merrill, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 836, regarding Deborah K. Mount, Park Hills, which was adopted.

Senator Schaaf offered Senate Resolution No. 837, regarding the death of Roger Lee Thom, which was adopted.

Senator LeVota offered Senate Resolution No. 838, regarding Jim Giokaris, Lee's Summit, which was adopted.

Senator Keaveny offered Senate Resolution No. 839, regarding Sergeant Steven Schmittgens, which was adopted.

Senator Keaveny offered Senate Resolution No. 840, regarding Sergeant Larry Richards, which was adopted.

Senator Libla offered Senate Resolution No. 841, regarding SEMO Electric Cooperative, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 842, regarding Fran Hendley, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 843, regarding Donna Deardorff, Bloomfield, which was

adopted.

Senator Libla offered Senate Resolution No. 844, regarding Jim Tweedy, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 845, regarding Kyle Jones, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 846, regarding Pam Elder, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 847, regarding the Trinity United Methodist Church Girls, Bloomfield, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 38

WHEREAS, Section 29.351 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

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 authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 29.351; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

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 refuses to recede from its position on **HCS** for **SCS** for **SB 152**, as amended, and requests the Senate to take up and adopt **HCS** for **SCS** for **SB 152**, as amended, and take up and pass **HCS** for **SCS** for **SB 152**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS No. 2** for **SCS** for **SB 24** and has taken up and passed **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**.

Bill ordered enrolled.

Senator Dixon requested unanimous consent of the body to correct the committee report made by the Committee on the Judiciary and Civil and Criminal Jurisprudence, March 19, 2015, on **SB 199** and others, which should have read “to which were referred **SB 199**, **SB 417**, and **SB 42**,” and the committee report made by the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 2, 2015, on **SB 112** and others, which should have read “to which were referred **SB 112**, **SB 212**, **SB 143**, and **SB 234**,” which request was granted.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 152**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 400** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Onder offered **SS** for **SB 400**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 400

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof two new sections relating to physician licensure.

Senator Onder moved that **SS** for **SB 400** be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Onder, **SB 400**, with **SS** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

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 **SB 141**, **SB 430**, **SS** for **SB 457**, **SS No. 2** for **SB 475**; and **SCS** for **SB 539**, 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.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**, having passed both branches of the General Assembly, would be read at length

by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 352** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

President Kinder assumed the Chair.

On motion of Senator Schaefer, **SB 352** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 314** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 314**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 314

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to property taxation of short term rental merchandise.

Senator Wallingford moved that **SS** for **SB 314** be adopted, which motion prevailed.

Senator Romine assumed the Chair.

On motion of Senator Wallingford, **SS** for **SB 314** was declared perfected and ordered printed.

BILLS DELIVERED TO THE GOVERNOR

CCS for **HCS** for **SS No. 2** for **SCS** for **SB 24**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 42**, as amended, and grant the House a conference thereon, which motion prevailed.

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 refuses to recede from its position on **HCS** for **SCS** for **SB 152**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 19**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 194**.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 152**, as amended: Senators Wallingford, Romine, Libla, Sifton and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 42**, as amended: Senators Pearce, Schmitt, Emery, Chappelle-Nadal and Holsman.

REFERRALS

President Pro Tem Dempsey referred **SB 141**, **SS** for **SB 476**; and **SS** for **SCS** for **SB 354** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 20, 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:

John B. Heskett, 316 Cheval Square Drive, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Children's Trust Fund Board, for a term ending September 15, 2017, and until his successor is duly appointed and qualified; vice, Thomas M. Vansaghi, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
April 20, 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:

Christian S. Tadrus, 8 Westwood Place, Moberly, Randolph County, Missouri 65270, as a member of the State Board of Pharmacy, for a term ending April 19, 2020, and until his successor is duly appointed and qualified; vice, Melissa D. Graham, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

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

RESOLUTIONS

Senator Romine offered Senate Resolution No. 848, regarding Clara K. Siebert, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 849, regarding Cynthia Chitwood, Doe Run, which was adopted.

Senator Romine offered Senate Resolution No. 850, regarding Kelli Nicole Sargent, Belleview, which was adopted.

Senator Romine offered Senate Resolution No. 851, regarding Terri Walker, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 852, regarding Pamela McLaurin, Ironton, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Onder introduced to the Senate, Dr. Craig Reynolds, Ocala, Florida.

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

SENATE CALENDAR

FIFTY-FIFTH DAY—TUESDAY, APRIL 21, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 457
HB 1064-Shull
HCS for HB 538
HB 557-Bahr
HB 643-Hinson
HB 776-Higdon
HB 918-Johnson
HCS for HBs 405 & 381
HB 923-Miller
HCS for HB 296

HCS for HB 129
HCS for HB 444
HCS for HB 759
HCS for HB 868
HCS for HB 258
HB 1070-Davis
HCS for HB 121
HB 609-Gosen
HCS for HB 864
HB 462-Bahr

HCS for HB 1134
 HB 1305-Rowden
 HCS for HB 672
 HCS for HB 110
 HCS for HB 692
 HCS for HB 994
 HB 473-Higdon

HB 743-Shull
 HB 996-Hoskins
 HB 787-Sommer
 HB 218-Wilson
 HCS for HB 838
 HB 1087-Bernskoetter

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 9. SS for SCS for SB 354-Sater
(In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 10. SB 369-Pearce |
| 3. SS for SB 201-Dixon (In Fiscal Oversight) | 11. SB 474-Wallingford |
| 4. SB 203-Dixon (In Fiscal Oversight) | 12. SB 500-Riddle |
| 5. SS#2 for SB 386-Keaveny
(In Fiscal Oversight) | 13. SB 561-Wasson |
| 6. SB 200-Dixon (In Fiscal Oversight) | 14. SB 141-Parson (In Fiscal Oversight) |
| 7. SS for SB 476-Kehoe (In Fiscal Oversight) | 15. SB 430-Curls |
| 8. SCS for SB 321-Hegeman | 16. SS for SB 457-Sater |
| | 17. SS#2 for SB 475-Dempsey |
| | 18. SCS for SB 539-Brown |

SENATE BILLS FOR PERFECTION

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|--|----------------------------------|
| 1. SB 405-Hegeman | 12. SB 471-Schaaf |
| 2. SB 497-Hegeman | 13. SB 177-Munzlinger, with SCS |
| 3. SB 266-Schaefer, with SCS | 14. SB 442-Schaefer |
| 4. SB 360-Parson, with SCS | 15. SB 46-Holsman |
| 5. SB 313-Wallingford, with SCS | 16. SB 520-Kehoe, with SCS |
| 6. SBs 451, 307, 100 & 165-Dixon, with SCS | 17. SB 409-Wallingford, with SCS |
| 7. SB 432-Onder, with SCS | 18. SB 427-Sifton, with SCS |
| 8. SB 528-Sater | 19. SB 533-Riddle |
| 9. SB 455-Kehoe | 20. SB 286-Schaaf and Silvey |
| 10. SB 392-Wieland | 21. SB 267-Schaefer, with SCS |
| 11. SB 44-Nasheed, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---------------------------|-------------------------------------|
| 1. HB 92-Miller (Kehoe) | 3. HB 458-Allen, with SCS (Schmitt) |
| 2. HB 514-Leara (Schmitt) | 4. HB 515-Leara (Keaveny) |

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|-------------------------------------|---|
| 5. HJR 1-Dugger (Kraus) | 9. HCS for HB 777 (Kraus) |
| 6. HB 152-Haahr, with SCS (Dempsey) | 10. HB 556-Wood, with SCS (Wallingford) |
| 7. HB 108-McCaherty | 11. HB 836-Ross (Libla) |
| 8. HCS for HB 50, with SCS (Parson) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 331 & 21-Libla, with SCS & SS for
SCS (pending) |
| SB 53-Schaaf | SB 339-Munzlinger, with SS (pending) |
| SB 55-Munzlinger | SB 358-Kehoe |
| SB 59-Dixon | SB 366-Schmitt |
| SB 69-LeVota, with SCS | SB 371-Munzlinger |
| SB 80-Dixon, with SCS | SB 372-Keaveny, with SCS (pending) |
| SB 87-Emery, with SCS | SB 373-Libla |
| SB 91-Dixon, with SCS | SB 377-Schatz |
| SBs 112, 212, 143 & 234-Dixon, with SCS | SB 400-Onder, with SS (pending) |
| SB 142-Romine, with SCS & SS#2 for SCS
(pending) | SB 416-Wasson |
| SB 145-Pearce, with SCS | SB 420-Schmitt |
| SB 151-Sater | SB 424-Pearce, with SA 1 (pending) |
| SB 159-Parson | SB 433-Dixon and Dempsey |
| SB 167-Schaaf, with SCS | SB 452-Schmitt, et al, with SA 1 & point
of order (pending) |
| SBs 199, 417 & 42-Dixon, et al, with SCS | SB 463-Dixon |
| SB 225-Romine, with SCS | SB 469-Munzlinger |
| SB 227-Emery, with SS (pending) | SB 481-Onder, with SCS |
| SB 232-Kehoe, with SCS | SB 488-Cunningham |
| SB 233-Kehoe, with SCS & SA 2 (pending) | SB 517-Wasson, with SCS |
| SB 268-Pearce, with SCS | SB 540-Libla, with SS (pending) |
| SB 299-Pearce | SB 567-Chappelle-Nadal, et al |
| SB 302-Riddle, with SCS (pending) | SJR 7-Richard and Wallingford |
| SB 304-Keaveny, with SCS | SJR 12-Onder, with SCS (pending) |
| SB 305-Onder | |

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 1116-Rehder (Libla)
HB 511-Mathews (Schatz)	HB 1119-Redmon
HB 88-Walton Gray (Walsh)	HB 979-Dugger (Pearce)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 149-Fitzpatrick
HB 567-Dunn (Curls)	HB 179-Chipman (Brown)
HB 629-Leara (Silvey)	HB 269-Miller
HB 778-Ruth	HBs 522, 34, 133, 134, 810, 338 &
HB 859-Dunn (Curls)	873-Cookson, with SCS (Libla)
HB 861-Fitzwater (49) (Wasson)	HB 650-Cornejo (Schaefer)
HB 874-Remole (Munzlinger)	HB 869-Solon (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4	HCS for HB 7, with SCS (Schaefer)
SCS for SB 152-Wallingford, with HCS, as amended	HCS for HB 8, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 11, with SCS, as amended (Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 12, with SS for SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)	HCS for HB 13, with SCS (Schaefer)
	HCS for HB 42 with SCS, as amended (Pearce)

Requests to Recede or Grant Conference

SB 104-Kraus, with HCS, as amended
(Senate requests House recede or
grant conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

To be Referred

SCR 38-Richard

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