

# Journal of the Senate

## SECOND REGULAR SESSION

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FIFTH DAY—WEDNESDAY, JANUARY 13, 2016

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“All the paths of the Lord are steadfast love and faithfulness, for those who keep his covenant and his decrees.” (Psalm 25:10)

Gracious God, Your grace refreshes and renews us so we can follow Your paths and adhere to Your decrees. Help us to live fully the life and perform duties You have given each of us. And give us Your light and guard, rule and guide us through this day. Ane we pray for our secretary, Adriane and her family at the death of her father. May you comfort them with your grace and mercy. 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.

Senator Kehoe announced photographers from Missourinet and The Missouri Times were given permission to take pictures in the Senate Chamber.

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

### Present—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

### Absent—Senators—None

### Absent with leave—Senators

Chappelle-Nadal	Curls	Schatz—3
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### Vacancies—2

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Riddle offered Senate Resolution No. 1214, regarding Dean Buffington, which was adopted.

Senator Pearce offered Senate Resolution No. 1215, regarding Georgia Stuart-Simmons, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1216, regarding Cameron Cooper Utz, Odessa, which was adopted.

Senator Pearce offered Senate Resolution No. 1217, regarding the Fiftieth Anniversary of the Memorial Veterans of Foreign Wars Auxiliary 5844, Holden, which was adopted.

Senator Cunningham offered Senate Resolution No. 1218, regarding the Campbell Farm, Bucyrus, which was adopted.

Senator Richard offered Senate Resolution No. 1219, regarding the One Hundred Seventy-fifth Anniversary of Jasper County, which was adopted.

Senator Kehoe offered the following resolution:

**SENATE RESOLUTION NO. 1220**

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June, 2016, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby grant the adult leaders and participants of the Seventy-fourth Session of Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 29, 2016 from 8:00 am to 12:30 pm.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1220** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1220** was adopted.

Senator Kehoe offered the following resolution:

**Senate Resolution No. 1221**

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-eighth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 8, 2016, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1221** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1221** was adopted.

Senator Hegeman offered Senate Resolution No. 1222, regarding the Fiftieth Wedding Anniversary of Roger and Margie King, Plattsburg, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Holsman offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 55

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, Second 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 Kehoe moved that **HCR 55** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 55** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal      Curls      Schatz—3

Vacancies—2

Senator Kehoe moved that **HCR 56** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 56** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal      Curls      Schatz—3

Vacancies—2

## COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 55**: Senators: Curls, Hegeman, Holsman, Keaveny, Pearce, Romine, Schaefer, Schmitt, Sifton and Walsh.

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 56**: Senators: Chappelle-Nadal, Dixon, Keaveny, Nasheed, Onder, Riddle, Schaefer, Schmitt, Schupp and Sifton.

## RE-REFERRALS

President Pro Tem Richard re-referred **SB 721** to the Committee on Judiciary and Civil and Criminal Jurisprudence.

President Pro Tem Richard re-referred **SB 789** to the Committee on Commerce, Consumer Protection, Energy and the Environment.

### **INTRODUCTION OF BILLS**

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

**SB 900**—By Holsman.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to health care cost transparency.

**SB 901**—By Holsman.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to the duty of scrap metal operators to obtain certificates of title for certain inoperable motor vehicles.

**SB 902**—By Silvey and Holsman.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

**SB 903**—By Dixon.

An Act to repeal sections 221.160 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to the reimbursement of certain criminal costs.

**SB 904**—By Pearce.

An Act to repeal sections 162.720 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

**SB 905**—By Sifton.

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections relating to the uniform interstate family support act, with an emergency clause.

**SB 906**—By Wasson.

An Act to repeal section 32.087, RSMo, and to enact in lieu thereof two new sections relating to local sales tax on motor vehicles.

**SB 907**—By Walsh and Schupp.

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

**SB 908**—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to pharmacy benefits managers.

**SB 909**—By Sater.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Senator Emory Melton memorial highway.

**SB 910**—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to medication synchronization services.

Senator Romine assumed the Chair.

**SB 911**—By Wieland.

An Act to repeal sections 354.415, 375.936, and 376.426, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

**SB 912**—By Schaaf.

An Act to repeal sections 192.945, 195.207, 261.265, and 263.250, RSMo, and to enact in lieu thereof four new sections relating to medical marijuana, with penalty provisions.

**SB 913**—By Brown.

An Act to repeal sections 306.010, 306.030, 306.031, and 306.080, RSMo, and to enact in lieu thereof four new sections relating to watercraft registration, with existing penalty provisions and a delayed effective date.

**SB 914**—By Brown.

An Act to repeal section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the offense of trespass in the first degree, with an existing penalty provision.

**SB 915**—By Schaefer.

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

**SB 916**—By Schaefer.

An Act to repeal section 213.010, RSMo, and to enact in lieu thereof one new section relating to the protection of religious organizations under the Missouri human rights act.

**SB 917**—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

**SB 918**—By Wallingford.

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the use of restraints on juveniles.

### **REPORTS OF STANDING COMMITTEES**

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

**INTRODUCTIONS OF GUESTS**

On behalf of Senator Sifton and himself, Senator Pearce introduced to the Senate, Kelli, Alex and Ben Unnerstall, St. Louis; Laura Naas, Gower; Becky Jaques and Lorrie Wolf, Kansas City, members of Decoding Dyslexia MO.

Senator Libla introduced to the Senate, Bill Robison, Bloomfield.

Senator Holsman introduced to the Senate, students from Calvary Lutheran School, Kansas City.

Senator Pearce introduced to the Senate, Bucky and Ryan Pescaglia, Columbia.

On behalf of Senator Kehoe and himself, Senator Pearce introduced to the Senate, Jeff Elliott, Jefferson City; and Angie Keeran, California.

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

**SENATE CALENDAR**  

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SIXTH DAY—THURSDAY, JANUARY 14, 2016

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**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

SB 851-Brown	SB 869-Schmitt
SB 852-Brown	SB 870-Kraus
SB 853-Brown	SB 871-Wallingford
SB 854-Brown	SB 872-Munzlinger
SB 855-Pearce	SB 873-Pearce
SB 856-Silvey	SB 874-Pearce
SB 857-Romine	SB 875-Schaefer
SB 858-Romine	SB 876-Schatz
SB 859-Munzlinger	SB 877-Schatz
SB 860-Riddle	SB 878-Brown
SB 861-Wieland	SB 879-Brown
SB 862-Wieland	SB 880-Brown
SB 863-Wieland	SB 881-Brown
SB 864-Sater	SB 882-Romine
SB 865-Sater	SB 883-Riddle
SB 866-Sater	SB 884-Munzlinger
SB 867-Sater	SB 885-Munzlinger
SB 868-Wasson	SB 886-Walsh

SB 887-Walsh	SB 904-Pearce
SB 888-Walsh	SB 905-Sifton
SB 889-Onder	SB 906-Wasson
SB 890-Emery	SB 907-Walsh and Schupp
SB 891-Schaefer	SB 908-Sater
SB 892-Chappelle-Nadal	SB 909-Sater
SB 893-Munzlinger	SB 910-Sater
SB 894-Munzlinger	SB 911-Wieland
SB 895-Hegeman	SB 912-Schaaf
SB 896-Hegeman	SB 913-Brown
SB 897-Hegeman	SB 914-Brown
SB 898-Cunningham	SB 915-Schaefer
SB 899-Parson	SB 916-Schaefer
SB 900-Holsman	SB 917-Schaefer
SB 901-Holsman	SB 918-Wallingford
SB 902-Silvey and Holsman	SJR 35-Kraus
SB 903-Dixon	

#### SENATE BILLS FOR PERFECTION

SB 591-Parson, with SCS

#### INFORMAL CALENDAR

#### RESOLUTIONS

To be Referred

SCR 55-Holsman

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