

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 24, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Does not wisdom call, and does not understanding raise her voice?” (Proverbs 8:1)

Gracious God, You give us all work that needs to be done and You keep the mundane, difficult and aggravating into that which matters and are useful to Your people. So bless and inspire our work this day and teach us to learn from 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.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from MissouriNet were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 1514, regarding Eagle Scout Dillon Andrew Freeze, Piedmont, which was adopted.

Senator Pearce offered Senate Resolution No. 1515, regarding John H. Harrington, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1516, regarding Andrew Martinez, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1517, regarding Shirley Briscoe, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1518, regarding Terrence Moody, which was adopted.

Senator Pearce offered Senate Resolution No. 1519, regarding Micheal Forbush, which was adopted.

Senator Pearce offered Senate Resolution No. 1520, regarding Larry Stevens, which was adopted.

Senator Pearce offered Senate Resolution No. 1521, regarding the death of James Williams, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1522, regarding Aimero Uriel, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1523, regarding Ernest Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1524, regarding Lorenza J. Whitaker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1525, regarding Penelope Clinton, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1526, regarding Donald L. Elmore, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1527, regarding Leanne Coronthia Blair, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1528, regarding the death of Wallace Singleton, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1529, regarding Gerald Blair, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1530, regarding Milton J. Taylor, Excelsior Springs, which was adopted.

Senator Pearce offered Senate Resolution No. 1531, regarding Donald Neal Goodwin, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1532, regarding Houston Clay Goodwin, Jr., Knob Noster,

which was adopted.

Senator Richard offered Senate Resolution No. 1533, regarding Destiny George, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1534, regarding Hannah Crouch, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1535, regarding Autumn Achey, Joplin, which was adopted.

INTRODUCTION OF BILLS

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

SB 1084—By Pearce.

An Act to repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to early learning quality assurance.

SB 1085—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to student safety at public institutions of higher education.

SB 1086—By Holsman.

An Act to repeal section 287.250, RSMo, and to enact in lieu thereof one new section relating to the average weekly wage of certain employees under workers' compensation laws.

SB 1087—By Romine, Richard, Schaefer, Holsman, Sater, Wallingford, Schupp, Schmitt, Kraus, Walsh, Libla, Parson, Munzlinger, Chappelle-Nadal, Wieland, Curls, Wasson, Nasheed, Cunningham, Brown, Onder, Kehoe, Schaaf and Pearce.

An Act to repeal sections 43.400, 43.401, 43.402, and 43.410, RSMo, and to enact in lieu thereof five new sections relating to missing persons.

SB 1088—By Schmitt.

An Act to repeal sections 173.005, 174.225, 174.231, 174.251, and 174.324, RSMo, and to enact in lieu thereof six new sections relating to graduate programs at institutions of higher education, with an existing penalty provision.

SJR 41—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 18(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to county executives of charter counties.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 799** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 799**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 799

An Act to repeal sections 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to business fees, with an existing penalty provision.

Senator Kraus moved that **SS** for **SB 799** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 799** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 875** was placed on the Informal Calendar.

Senator Schmitt moved that **SB 573** be taken up for perfection, which motion prevailed.

On motion of Senator Schmitt, **SB 573** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 919**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 919**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 919

An Act to repeal section 311.205, RSMo, and to enact in lieu thereof three new sections relating to intoxicating liquor.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 919** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 919**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 919

An Act to repeal sections 311.090, 311.195, 311.200, 311.205, 311.220, 311.328, and 311.665, RSMo, and to enact in lieu thereof ten new sections relating to intoxicating liquor, with an effective date for a certain section and penalty provisions.

Senator Onder assumed the Chair.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from Lincoln County to enter the Chamber with side arms, which request was granted.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from Pike County to enter the Chamber with side arms, which request was granted.

Senator Schmitt moved that **SS** for **SCS** for **SB 919** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 9, Section 311.201, Lines 10-12, by striking said lines and inserting in lieu thereof the following: “**premises for consumption off such premises. Any employee of**”.

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

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 5, Section 311.198, Line 7, by inserting after “brewer” the following: “**plus interest at a rate at least equal to the prime interest rate plus three percent as of the execution of the lease and not amortized over more than five years**”; and further amend said page and section, line 12, by inserting after “brewer” the following: “**plus interest at a rate at least equal to the prime interest rate plus three percent as of the execution of the lease and not amortized over more than five years**”.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Schmitt, **SB 919**, with **SCS, SS** for **SCS**, as amended, and **SA 2** (pending), was placed on the Informal Calendar.

Senator Brown moved that **SB 879** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 879** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, 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 **SB 573**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

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

RECESS

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

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 875** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 875, Page 1, Section 338.056, Line 5, by inserting after “interchangeable” the following: “**biological**”.

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

On motion of Senator Schaefer, **SB 875**, as amended, was declared perfected and ordered printed.

Senator Parson moved that **SB 665** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 665** was declared perfected and ordered printed.

Senator Wasson moved that **SB 835** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 835** was declared perfected and ordered printed.

Senator Sater moved that **SB 865** and **SB 866**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 865** and **866**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 AND 866

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof three new sections relating to licenses issued by the board of pharmacy.

Was taken up.

Senator Sater moved that **SCS** for **SBs 865** and **866** be adopted.

Senator Sater offered **SS** for **SCS** for **SBs 865** and **866**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 and 866

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof five new sections relating to pharmacy.

Senator Sater moved that **SS** for **SCS** for **SBs 865** and **866** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 and 866, Page 3, Section 338.347, Line 24, by inserting after all of said line the following:

“354.535. 1. If a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee’s right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No health maintenance organization, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every health maintenance organization shall apply the same coinsurance, co-payment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the health maintenance organization’s network if the provider meets the contract’s explicit product cost determination. If any such contract is rejected by any pharmacy provider, the health maintenance organization may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this

section shall be construed to prohibit the health maintenance organization from applying different coinsurance, co-payment and deductible factors between generic and brand name drugs.

4. If the co-payment applied by a health maintenance organization exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.

5. Health maintenance organizations shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the health maintenance organization's network.

[5.] 6. Health maintenance organizations shall not insist or mandate any physician or other licensed health care practitioner to change an enrollee's maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444. Notwithstanding other provisions of law to the contrary, health maintenance organizations that change an enrollee's maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056.”; and

Further amend section 376.379, page 4, line 19 by inserting after all of said line the following:

“376.387. If the co-payment for prescription drugs applied by a health insurer or health carrier, as defined in section 376.1350, exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf move that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS for SCS for SBs 865 and 866**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS for SCS for SBs 865 and 866**, as amended, was declared perfected and ordered printed.

Senator Schatz moved that **SB 700** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 700** was declared perfected and ordered printed.

Senator Kraus moved that **SB 823**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 823, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 823

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax on internet access.

Was taken up.

Senator Kraus moved that **SCS** for **SB 823** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 823** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 814**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 814**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 814

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax deductions for active duty military personnel.

Was taken up.

Senator Romine assumed the Chair.

Senator Wallingford moved that **SCS** for **SB 814** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 814** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 612** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Cunningham, **SB 612** was placed on the Informal Calendar.

Senator Romine moved that **SB 688** and **SB 854**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 688** and **854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 688 AND 854

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

Was taken up.

Senator Romine moved that **SCS** for **SBs 688** and **854** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 688** and **854** was declared perfected and ordered printed.

Senator Sater moved that **SB 802** be taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 802, Page 1, In the Title, Line 3, of the title, by striking "a ban on abortions for

Down Syndrome” and inserting in lieu thereof the following: “family planning”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate, **be based on peer reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate**, and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity [for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy] **as the only sure way to avoid pregnancy or sexually transmitted infection;**

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted [diseases] **infections;**

(3) Present students with the latest medically factual information [regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS and other diseases;**

(4) [Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan] **Provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active;**

(5) Encourage family communication between parents and children about sexuality;

(6) Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making;

[(5)] **(7) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one’s self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;**

[(6)] **(8) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;**

(9) Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;

[(7)] **(10)** Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline; and

[(8)] **(11)** Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends.

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials **and names and affiliations of presenters** used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not

necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.]" and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Sater raised the point of order that **SA 1** is out of order in that it changes the title of the original bill and further is not germane. The point of order was referred to the President Pro Tem, who took it under advisement, which placed **SB 802**, with **SA 1** and the point of order (pending) on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, 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 **SBs 865** and **866**; **SCS** for **SB 823**; **SCS** for **SB 814**; **SB 700**; **SB 835**; **SB 665**; **SB 875**; **SS** for **SB 799**; **SB 879**; and **SCS** for **SBs 688** and **854**, 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 Richard referred **SS** for **SB 799** and **SB 879** to the Committee on Governmental Accountability and Fiscal Oversight.

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 **HCR 69**.

HOUSE CONCURRENT RESOLUTION NO. 69

WHEREAS, diverse, reliable, and affordable energy supply is vital to economic growth in Missouri; and

WHEREAS, the United States has abundant natural resources that have contributed to Missouri's growth and development, and Missouri benefits from a diverse mix of energy sources that include coal, natural gas, nuclear power, and renewable energy; and

WHEREAS, on June 2, 2014, the United States Environmental Protection Agency (EPA) proposed the Clean Power Plan to reduce carbon dioxide emissions from fossil fuel-fired power plants, requiring Missouri to significantly reduce the carbon dioxide emissions rate of its electricity-generating fleet; and

WHEREAS, the North American Electric Reliability Corporation and Regional Transmission Organizations are raising concerns about the reliability of the nation's electric grid in light of the projected national retirement of more than sixty gigawatts (GW) of generating capacity prior to 2020 due to economic considerations and compliance with more stringent environmental requirements; and

WHEREAS, on August 3, 2015, the EPA predicted in its regulatory impact analysis for its final Clean Power Plan that up to twenty-nine GW of coal-fired generating units would close in the United States by 2025 with eleven GW more closing by 2030, and many of these units are in or serving states that are members of the Southern States Energy Board; and

WHEREAS, some studies project that the EPA's proposed Clean Power Plan may cause double-digit electricity price increases in many states, including the sixteen states and two territories comprising the Southern States Energy Board; and

WHEREAS, Missouri burns coal for more than eighty percent of its electricity, and the state's carbon reduction goal under the final rule is much tougher than in the draft proposal; and

WHEREAS, Missouri must reduce its power-sector carbon emissions rate to 1,272 pounds of carbon dioxide per megawatt-hour of power produced, much stiffer than the 1,544 pounds per megawatt-hour level in the draft rule; and

WHEREAS, the Clean Power Plan is based on emission reduction measures that interfere with the regulation of electricity by individual states and that will have a major impact on energy resources, electricity ratepayers, grid reliability, jobs, and the economy of the United States; and

WHEREAS, twenty-nine states do not believe that the Clean Power Plan is consistent with the EPA's authority under the Clean Air Act; and

WHEREAS, the final Clean Power Plan may be overturned as the result of legal challenges by multiple states:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby find that the EPA's Clean Power Plan interferes with the sovereign powers of the states to regulate electricity within their borders and to ensure a reliable and affordable supply of electricity for their citizens; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the attorney general to take necessary legal actions regarding EPA's final Clean Power Plan to prevent unlawful obligations from being imposed on states, electricity providers, businesses, and citizens; and that pending resolution of all such legal actions, encourage the governor to take such additional actions as may be appropriate to protect the best interests of Missouri including, but not limited to, requesting a two-year extension of the deadline to submit a final state plan, refusing to submit a Clean Power Plan under Section 111(d) of the federal Clean Air Act, or working with state environmental agencies to submit an implementation plan that the state deems to be feasible and legally sound regardless of whether the plan conforms to the final rule; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the EPA, the Congress of the United States, governors, lieutenant governors, applicable state regulators, and legislative presiding officers.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 96**.

HOUSE CONCURRENT RESOLUTION NO. 96

WHEREAS, millions of veterans have proudly served in our country's Armed Forces over the years; and

WHEREAS, during their service, many of our veterans have come into contact with various toxic chemicals, including Agent Orange and other dioxincontaminated herbicides during the Vietnam War, various neurotoxins during the Gulf War, and chemical weapons and burn pits in Iraq and Afghanistan during Operations Enduring Freedom, Iraqi Freedom, and New Dawn; and

WHEREAS, this exposure has been linked to certain diseases which may affect both the veterans who were exposed and their progeny; and

WHEREAS, there are still yet unexplained service-connected ailments and undetected residual medical conditions, including potential congenital malformations resulting from exposure to toxic chemicals, the extent, composition, and effects of which we do not yet understand; and

WHEREAS, the pain, financial burden, and emotional turmoil that these medical ailments may cause are serious and worth addressing, particularly in light of the sacrifice that members of the Armed Forces made that led to such exposure; and

WHEREAS, the Toxic Exposure Research Act of 2015, H.R. 1769 and S. 901, a bipartisan bill, has been introduced in Congress to create a national center within the Department of Veterans Affairs to research treatment and diagnosis of health conditions of descendants of veterans exposed to toxins during their military service; and

WHEREAS, this measure would also authorize the Department of Defense to declassify certain incidents of exposure by service members to toxic substances, create a database of congenital anomalies, and devise a national outreach campaign on the potential long-term health effects of exposure to toxic substances on service members and their descendants; and

WHEREAS, such a measure would have significant importance and potential impact on veterans living in Missouri and their children:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge Congress and the President of the United States to enact H.R. 1769 and S. 901, the Toxic Exposure Research Act of 2015; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1536, regarding the Fiftieth Wedding Anniversary of Kenneth and Verlene Dougan, Ravenwood, which was adopted.

Senator Hegeman offered Senate Resolution No. 1537, regarding the Fiftieth Wedding Anniversary of Gilbert and Judy Shuler, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1538, regarding the Fiftieth Wedding Anniversary of Jerry and Barbara (Madden) O'Connell, Maryville, which was adopted.

Senator Parson offered Senate Resolution No. 1539, regarding Tyler Swearingin, Urbana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1540, regarding Courtney R. Guffey, Powersville, which was adopted.

Senator Brown offered Senate Resolution No. 1541, regarding the 1975-76 Licking Wildcat Women's Volleyball Team, which was adopted.

Senator Libla offered Senate Resolution No. 1542, regarding Carrol Jean Lindley, which was adopted.

Senator Cunningham offered Senate Resolution No. 1543, regarding Eagle Scout Skyler Tompkins, West Plains, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Rhonda White and Lynne Shupe, Nevada; and Brad Williams, Lamar.

On behalf of Senator Onder and himself, Senator Kehoe introduced to the Senate, Kaitlyn Wilkinson, St. Charles.

On behalf of Senator Munzlinger, Senator Kehoe introduced Jourdan Cunningham, Moberly.

Senator Holsman introduced to the Senate, members of the Coalition on Mental Health Providers, Kansas City.

Senator Schaaf introduced to the Senate, representatives of Missouri Hospice and Palliative Care Association.

Senator Schaaf introduced to the Senate, Jana Wolfe, Shirley Collision and Gail Holand, Springfield; Sue Ann Greco and Sandra Murdock, St. Louis; and Marsha Conant, Diana Corzine and Kathy Weigand, St. Joseph.

Senator Riddle introduced to the Senate, Cadet Aflonso Leon Aguilar, Cadet Jose Emilio Estrada Pinon, Cadet Yunil Jeon, and Cadet John Thomas Curley, Missouri Military Academy, Mexico.

Senator Schaefer introduced to the Senate, students of the Columbia Public Schools Gifted Services.

Senator Riddle introduced to the Senate, Sheriff John Cottle, Lincoln County.

On behalf of Senators Holsman, Hegeman, Keaveny, Schmitt and himself, Senator Dixon introduced to the Senate, Piper-Danay Smith, Grandview; Zane Clark, Cameron; Brianna Duda, St. Louis; Caitlin

Shukwit, St. Louis; and Melanie Morgan and Nadio Pshonyak, Springfield, representatives of Missouri State University.

Senator Dixon introduced to the Senate, Daezia Smith, and representatives of Missouri State University Student Government.

Senator Cunningham introduced to the Senate, Anya Schilmoeller and Miranda Winston, Missouri State University.

Senator Hegeman introduced to the Senate, Kari Maag, Ryanna Parks-Shaw and Laura Bodicky, St. Joseph.

Senator Munzlinger introduced to the Senate, Sheriff Stephen Korte, Pike County.

Senator Pearce introduced to the Senate, Rebbecca Fenton and Michaela Mitchell, Central Methodist University.

Senator Chappelle-Nadal introduced to the Senate, Pastor Joe Yazy, Pastor Bryan W. Mann and Pastor B. T. Rice, St. Louis.

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

SENATE CALENDAR

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 25, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1080-Schaefer
SB 1071-Hegeman	SB 1081-Schaefer
SB 1072-Hegeman	SB 1082-Cunningham
SB 1073-Brown	SB 1083-Wallingford
SB 1074-Schmitt	SB 1084-Pearce
SB 1075-Wallingford	SB 1085-Pearce
SB 1076-Parson	SB 1086-Holsman
SB 1077-Parson	SB 1087-Romine, et al
SB 1078-Parson	SB 1088-Schmitt
SB 1079-Riddle	SJR 41-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477	HCS for HB 1729
HCS for HB 1474	HB 1414-Houghton

HB 1588-Franklin

HB 1728-Reiboldt

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 607-Sater (In Fiscal Oversight) | 10. SB 573-Schmitt |
| 2. SB 581-Schaaf (In Fiscal Oversight) | 11. SS for SCS for SBs 865 & 866-Sater |
| 3. SS for SB 621-Romine
(In Fiscal Oversight) | 12. SCS for SB 823-Kraus |
| 4. SB 783-Onder (In Fiscal Oversight) | 13. SCS for SB 814-Wallingford, et al |
| 5. SB 640-Schatz (In Fiscal Oversight) | 14. SB 700-Schatz |
| 6. SS for SB 732-Munzlinger
(In Fiscal Oversight) | 15. SB 835-Wasson |
| 7. SB 656-Munzlinger | 16. SB 665-Parson |
| 8. SB 641-Schatz (In Fiscal Oversight) | 17. SB 875-Schaefer |
| 9. SCS for SB 794-Wallingford
(In Fiscal Oversight) | 18. SS for SB 799-Kraus (In Fiscal Oversight) |
| | 19. SB 879-Brown (In Fiscal Oversight) |
| | 20. SCS for SBs 688 & 854-Romine |

SENATE BILLS FOR PERFECTION

SB 804-Onder, with SCS

SB 623-Libla

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| HB 2203-Barnes, with SCS (Kehoe) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |
| HB 2226-Barnes (Silvey) | HCS for HB 1891 (Brown) |
| HB 1452-Hoskins, with SCS (Pearce) | |
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 580-Schaaf, with SCS, SA 2 & point of
order (pending) | SB 802-Sater, with SA 1 & point of order
(pending) |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 644-Onder, with SCS | SB 919-Schmitt, with SCS, SS for SCS &
SA 2 (pending) |
| SB 706-Dixon | |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

RESOLUTIONS

To be Referred

HCR 69-Miller

HCR 96-Plocher

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