

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIFTH DAY—FRIDAY, MAY 6, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...for God is a God not of disorder but of Peace.” (I Corinthians 14:33a)

Lord we conclude a tough week so as we finish here let our minds find peace and rest in You. Let us enjoy this time to embrace the beauty that is now around us. Let us embrace those we love so this time provides a peace that is so needed. Let us embrace a time in Your presence so our soul is truly at rest in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV and Missouri Digital News 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	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered the following resolution:

SENATE RESOLUTION NO. 2196

Whereas, sustained investment in electric, natural gas, water, and sewer utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies compete with utility companies in other states for the capital necessary to sustain investment in utility infrastructure in Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

Whereas, the utility regulatory process in Missouri, as it applies to electric, natural gas, water, and sewer corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

Whereas, the utility regulatory process and framework must be periodically evaluated in order to promote the interests of fairness and balance among all constituencies, by addressing policy and practice advances in areas including nontraditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function, and needs of the Public Service Commission, the role, function, and needs of the Office of Public Counsel, and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:

Now Therefore Be It Resolved that the members of the Senate of the Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Committee on Utility Regulation and Infrastructure Investment; and

Be It Further Resolved that such committee be composed of seven members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and three members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning: how the Missouri utility regulatory process and framework, and the results of such process and framework, compares to other states for electric, natural gas, water, and sewer utility companies; and how the utility regulatory process in Missouri can, or should, be modernized to be more efficient and effective, to ensure sustained investment in utility infrastructure and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of Public Counsel, political subdivisions of this state, regulated utilities, and consumer groups; and

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

Be It Further Resolved that members and staff members assigned to the committee shall serve without compensation, but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

Senator Chappelle-Nadal offered Senate Resolution No. 2197, regarding Ann Gibbons, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2198, regarding Robert Melvin “Bob” Price, Hazelwood, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2199, regarding Brandon Pappert, Ferguson, which was adopted.

Senator Nasheed offered Senate Resolution No. 2200, regarding the Eightieth Birthday of former State Representative Charles Quincy Troupe, which was adopted.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 994**, 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.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 703**, 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.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 656**, 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.

Senator Schmitt moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1584**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SB 640**, 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.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SB 786**, 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.

HOUSE BILLS ON THIRD READING

Senator Emery moved that **HCS** for **HB 1713**, with **SCS**, **SA 2**, **SA 1** to **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Keaveny, the point of order was withdrawn.

At the request of Senator Schatz, **SA 2** was withdrawn, rendering **SA 1** to **SA 2** moot.

Senator Schatz offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“67.5070. 1. As used in this section, “design-build contract” shall mean any contract that furnishes architecture or engineering services and construction services either directly or through subcontracts.

2. Any political subdivision may enter into a design-build contract for engineering, design, and construction of a waste water or water treatment project.

3. In disbursing community development block grants under 42 U.S.C. Sections 5301 to 5321, the department of economic development shall not reject waste water or water treatment projects solely for utilizing design-build.

4. The department of natural resources shall not preclude design-build contracts from consideration of funding provided by the water and wastewater loan fund established in section 644.122.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf assumed the Chair.

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

Senator Pearce offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 644.200, Line 20, by inserting after all of said line the following:

“Section 1. The new wastewater line from Purdy to Monett shall be known as the “Senator David Sater Sewer Line”.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 4**. He was joined in his request by Senators Munzlinger, Nasheed, Romine and Walsh.

At the request of Senator Pearce, **SA 4** was withdrawn.

Senator Wallingford offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 256.447, Line 12, by inserting after all of said line the following:

“640.136. 1. Any public water system, as defined in section 640.102, or public water supply district, as defined in chapter 247, which intends to make modifications to fluoridation of its water supply shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section.

2. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

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

Senator Emery moved that **SCS** for **HCS** for **HB 1713**, as amended, be adopted, which motion

prevailed.

On motion of Senator Emery, **SCS** for **HCS** for **HB 1713**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Holsman	Schupp—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senator Holsman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2332**, with **SCS**, entitled:

An Act to repeal sections 272.030, 272.230, 327.272, 475.125, 476.083, 477.650, 562.014, 565.030, 566.210, 566.211, 566.212, 566.213, 578.007, 578.022, 579.015, and 595.226, RSMo, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as

enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, sections 557.021, 566.209, 570.030, 570.135, 574.010, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof thirty-one new sections relating to judicial proceedings, with penalty provisions.

Was taken up by Senator Dixon.

SCS for **HCS** for **HB 2332**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2332

An Act to repeal sections 192.2260, 192.2405, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof twenty-six new sections relating to restructuring the Missouri criminal code, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 2332** be adopted.

Senator Dixon offered **SS** for **SCS** for **HCS** for **HB 2332**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2332

An Act to repeal sections 192.2260, 192.2405, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.007, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299

merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010, 577.012, 577.013, and 577.014 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof thirty-one new sections relating to restructuring the Missouri criminal code, with penalty provisions and an effective date for certain sections.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 2332** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2332, Page 33, Section 562.014, Line 6 of said page, by inserting after all of said line the following:

“563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual claiming a justification of using protective force under this section.

3. A person **who is not engaged in an unlawful activity** does not have a duty to retreat from [a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual] **any place he or she has a right to be.**

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Dixon raised the point of order that **SA 1** is out of order as it goes beyond the scope of the title of the Senate Substitute.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **HCS** for **HB 2332**, with **SCS**, **SS** for **SCS**, **SA 1** and point of order (pending), back on the Informal Calendar.

HCS for **HB 1684**, entitled:

An Act to repeal section 72.150, RSMo, and to enact in lieu thereof one new section relating to the consolidation of certain cities, towns, or villages.

Was taken up by Senator Riddle.

On motion of Senator Riddle, **HCS** for **HB 1684** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 732**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 732

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 732, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, & 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, House Amendment No. 1 to House Amendment No. 13, and House Amendment No. 13, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 732, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 732;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 732 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ Doug Libla

/s/ Jay Wasson

/s/ Shalonn "Kiki" Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Shawn Rhoads

/s/ Robert Ross

/s/ Jeanie Lauer

/s/ Tracy McCreery

/s/ Mike Colona

Senator Munzlinger moved that the above conference committee report be adopted.

At the request of Senator Munzlinger, the above motion was withdrawn.

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the

House on **SB 700**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 700

The Conference Committee appointed on Senate Bill No. 700, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, and House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 700, as amended;
2. That the Senate recede from its position on Senate Bill No. 700;
3. That the attached Conference Committee Substitute for Senate Bill No. 700 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz
/s/ Mike Parson
/s/ Doug Libla
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Dean Dohrman
/s/ Robert Ross
/s/ Charlie Davis
/s/ Stephen Webber
/s/ Jon Carpenter

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schatz, **CCS** for **SB 700**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 700

An Act to repeal sections 287.090, 287.957, and 287.975, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SBs 865 and 866**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 & 866

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment Nos. 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866 be Third Read and Finally Passed.

FOR THE SENATE:
/s/ David Sater

FOR THE HOUSE:
/s/ Kevin Engler

/s/ Mike Cunningham
 /s/ Mike Parson
 /s/ Scott Sifton
 /s/ Jill Schupp

/s/ Lynn Morris
 /s/ John D. Wiemann
 /s/ Margo McNeil
 /s/ Kip Kendrick

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS** for **HCS** for **SS** for **SCS** for **SBs 865** and **866**, entitled:

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

An Act to repeal sections 338.270, 338.347, 374.185, 376.1237, 379.934, 379.936, 379.938, and 379.940, RSMo, and to enact in lieu thereof sixteen new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Keaveny, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 578**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 578;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny
Scott Sifton
/s/ Bob Dixon
/s/ Ed Emery
/s/ Bob Onder

FOR THE HOUSE:

/s/ Caleb Jones
Kirk Mathews
/s/ Rocky Miller
/s/ Gina Mitten
Mike Colona

Senator Keaveny moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Keaveny, **CCS** for **HCS** for **SCS** for **SB 578**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578

An Act to repeal sections 476.083, 478.430, 478.433, 478.705, 513.430, 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-eight new sections relating to judicial proceedings.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 572**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate

Committee Substitute for Senate Bill No. 572, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, and House Amendment No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 572;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Eric Schmitt
- /s/ Kurt Schaefer
- /s/ Bob Dixon
- /s/ Joseph Keaveny
- /s/ Jason Holsman

FOR THE HOUSE:

- /s/ Robert Cornejo
- /s/ Joe Don McGaugh
- /s/ Paul Curtman
- /s/ John Rizzo
- Gina Mitten

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **CCS** for **HCS** for **SS** for **SCS** for **SB 572**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572**

An Act to repeal sections 67.287, 67.398, 67.402, 67.451, 79.490, 80.570, 304.190, 479.020, 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof twenty-six new sections

relating to municipalities, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that the Senate refuse to recede from its position on **HB 1870**, as amended, and request the House take up and pass **HB 1870**, as amended.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 2453**, with **SCS**, entitled:

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Schaaf.

SCS for **HCS** for **HB 2453**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2453

An Act to conveyance of certain state properties, with an emergency clause for a certain section.

Was taken up.

Senator Schaaf moved that **SCS** for **HCS** for **HB 2453** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **HCS** for **HB 2453** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1593, introduced by Representative Crawford, entitled:

An Act to repeal section 139.250, RSMo, and to enact in lieu thereof one new section relating to payments due by collectors.

Was called from the Consent Calendar and taken up by Senator Hegeman.

On motion of Senator Hegeman, **HB 1593** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2591, introduced by Representative Richardson, **HB 1958**, introduced by Representative Basye, and **HB 2369**, introduced by Representative Bahr, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto six new sections relating to the designation of highways.

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

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

Were called from the Consent Calendar and taken up by Senator Libla.

SCS for **HB 2591**, **HB 1958** and **HB 2369**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2591 and
HOUSE BILL NO. 1958 and
HOUSE BILL NO. 2369

An Act to amend chapter 227, RSMo, by adding thereto twelve new sections relating to the designation of certain transportation infrastructure.

Was taken up.

Senator Libla moved that **SCS** for **HB 2591**, **HB 1958** and **HB 2369** be adopted, which motion prevailed.

On motion of Senator Libla, **SCS** for **HB 2591**, **HB 1958** and **HB 2369** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2335, introduced by Representative Houghton, with **SCS**, entitled:

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

Was called from the Consent Calendar and taken up by Senator Riddle.

SCS for **HB 2335**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2335

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to the designation of certain memorial transportation infrastructure.

Was taken up.

Senator Riddle moved that **SCS** for **HB 2335** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **HB 2335** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the conference committee report on **CCS** for **HCS** for **SS** for **SB 732**, as amended, be again taken up for adoption, which motion prevailed.

Senator Munzlinger moved that the conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senators

Emery Wieland—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, **CCS** for **HCS** for **SS** for **SB 732**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 732

An Act to repeal sections 43.545, 44.010, 44.023, 44.032, 67.145, 67.281, 70.210, 84.720, 94.902, 190.055, 190.102, 190.103, 190.142, 190.165, 190.241, 190.335, 192.737, 192.2400, 192.2405, 304.022, 307.175, 321.017, 321.130, 321.210, 455.543, 455.545, and 610.100, RSMo, and section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 575.145 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.145 as enacted by house bill no. 1270 and house bill no. 2032, ninety-first general assembly, second regular session, and to enact in lieu thereof thirty-seven new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senators

Emery	Wieland—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1472, introduced by Representative Dugger, entitled:

An Act to repeal section 105.669, RSMo, and to enact in lieu thereof one new section relating to public employee retirement plan benefits.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HB 1472**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1472

An Act to repeal sections 105.661, 105.666, 105.669, 105.683, and 476.521, RSMo, and to enact in lieu thereof five new sections relating to public employee retirement plans.

Senator Dixon moved that **SS** for **HB 1472** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1472, Page 7, Section 105.683, Line 25 of said page, by inserting immediately after the word “under” the following: “**sections 50.1000 to 50.1300**,”; and further amend line 26, by inserting immediately after “169.141” a comma “,”.

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

Senator Riddle offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 1472, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“70.621. 1. In the event a political subdivision has in effect for all or part of its employees a plan similar in purpose to the Missouri local government employees' retirement system, and in the further event such a political subdivision is an employer in the system, at the request of the political subdivision the board of the system may at its sole discretion enter into an agreement with such an employer whereby the system assumes all duties and responsibilities of operating the employer's prior plan.

2. After making the necessary changes to the statute, city ordinance, city charter, or governing documents of the employer's prior plan and upon receiving a concurring resolution from the board of trustees of the prior plan after a simple majority vote of the active employees of the prior plan, such employer may enter into an agreement with the board of the system to operate the employer's prior plan so long as an election has been made to cover new employees under section 70.630. Upon entering into such agreement, the employer shall irrevocably delegate and cede all operational duties and responsibilities to the system. Upon entering into such an agreement, the board of the system shall become the governing board of the employer's prior plan. The employer's prior plan shall be administered as a frozen prior plan by the system and shall continue to operate under its existing governing documents in all other respects.

3. Where an agreement authorized by this section is entered into by an employer and the system, the employer shall continue to have sole responsibility for the full funding of its prior plan including all related expenses. If any employer fails to make any payment due under the prior plan, the provisions of section 70.735 shall apply.

4. The system shall formulate and adopt rules and regulations for the government of its own proceedings relating to this section and for the administration of this section, as the board may deem necessary.”; and

Further amend the title and enacting clause accordingly.

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

Senator Hegeman offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 1472, Page 1, In the Title, Line 5 by inserting immediately after the word “plans” the following: “, with an effective date for a certain section”; and

Further amend said bill and page, section A, line 4 of said page, by inserting after all of said line the following:

“104.1205. The board of trustees of the Missouri state employees’ retirement system shall:

(1) Establish a defined contribution plan for outside employees which, among other things, provides for immediate vesting;

(2) Select a third-party administrator to provide such services as the board determines to be necessary for the proper administration of the defined contribution plan;

(3) Select the investment products which shall be made available to the participants in the defined contribution plan;

(4) Annually establish the contribution rate used for purposes of subsection 3 of section 104.1066 for employees of institutions who are other than outside employees, which shall be done by considering all such employees to be part of the general employee population within the Missouri state employees’ retirement system;

(5) Establish the contribution rate for outside employees which shall be equal to [one] **five and one-half** percent of payroll [less than the normal cost contribution rate established pursuant to subdivision (4) of this section];

(6) Require outside employees to contribute two percent of the employee’s pay to the defined contribution plan which shall be credited to a separate account within the outside employee’s individual account. The employing institution, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay such contributions. The contributions so picked up shall be treated as employer contributions for purposes of determining the outside employee’s pay that is includable in the outside employee’s gross income for federal income tax purposes. The outside employee’s contributions picked up by the employing institution shall be:

(a) Paid from the same source of funds used for the payment of pay to an outside employee. A deduction shall be made from each outside employee’s pay equal to the amount of the outside employee’s contributions picked up by the employing institution; and

(b) Paid by the employing institution in lieu of the contributions by the outside employee, although designated as employee contributions. The outside employee shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employing institution to the defined contribution plan; and

[(6)] (7) Establish such rules and regulations as may be necessary to carry out the purposes of this section.”; and

Further amend said bill, page 13, section 476.521, line 17 of said page, by inserting after all said line

the following:

“Section B. The repeal and reenactment of section 104.1205 of this act shall become effective July 1, 2017.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schaefer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 1472, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“104.037. If a retired member of the Missouri department of transportation and highway patrol employees’ retirement system or the Missouri state employees’ retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member’s creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.380. **1. Except as provided in subsection 2 of this section,** if a retired member is elected to any state office or is appointed to any state office or is employed by a department in a position normally requiring the performance by the person of duties during not less than one thousand forty hours per year, the member shall not receive an annuity for any month or part of a month for which the member serves as an officer or employee, but the member shall be considered to be a new employee with no previous creditable service and must accrue creditable service continuously for at least one year in order to receive any additional annuity. Any retired member who again becomes an employee and who accrues additional creditable service and later retires shall receive an additional amount of monthly annuity calculated to include only the creditable service and the average compensation earned by the member since such employment or creditable service earned as a member of the general assembly. Years of membership service and twelfths of a year are to be used in calculating any additional annuity except for creditable service earned as a member of the general assembly, and such additional annuity shall be based on the type of service accrued. In either event, the original annuity and the additional annuity, if any, shall be paid commencing with the end of the first month after the month during which the member’s term of office has been completed, or the member’s employment terminated. If a retired member is employed by a department in a position that does not normally require the person to perform duties during at least one thousand forty hours per year, the member shall not be considered an employee as defined pursuant to section 104.010. A retired member who becomes reemployed as an employee on or after August 28, 2001, in a position covered by the Missouri department of transportation and highway patrol employees’ retirement system shall not be eligible to receive retirement benefits or additional creditable service from the state employees’ retirement system. Annual benefit increases paid under section 104.415 shall not accrue while a retired member is employed as described in this section. Any future annual benefit increases paid after the member terminates such employment will be paid in the same month as the member’s original annual benefit increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any additional annuity paid under this section.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.1039. **1. Except as provided in subsection 2 of this section,** if a retiree is employed as an employee by a department, the retiree shall not receive an annuity payment for any calendar month in which the retiree is so employed. While reemployed the retiree shall be considered to be a new employee with no previous credited service and must accrue credited service continuously for at least one year in order to receive any additional annuity. Such retiree shall receive an additional annuity in addition to the original annuity, calculated based only on the credited service and the pay earned by such retiree during reemployment and paid in accordance with the annuity option originally elected; provided such retiree who ceases to receive an annuity pursuant to this section shall not receive such additional annuity if such retiree is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this chapter. The original annuity and any additional annuity shall be paid commencing as of the end of the first month after the month during which the retiree's reemployment terminates. Cost-of-living adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in this section. Any future cost-of-living adjustments paid after the retiree terminates such employment will be paid in the same month as the retiree's original annual benefit increases were paid.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Dixon, **HB 1472**, with **SS** and **SA 4** (pending), was placed on the Informal Calendar.

Senator Riddle assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1584**, as amended: Senators Schmitt, Schaefer, Dixon, Keaveny and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 973**, as amended: Senators Wasson, Cunningham, Sater, Schupp and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 638**, as amended: Senators Riddle, Onder, Emery, Holsman and Nasheed.

President Pro Tem Richard 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 **HB 2237**, 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 **HCS** for **HB 1451**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1716**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1695**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HBs 1589** and **2307**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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 **HCS** for **HB 2194**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 2445**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1786**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle assumed the Chair.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 2201, regarding Terri Rolfe Lawrence, Maplewood, which was adopted.

Senator Hegeman offered Senate Resolution No. 2202, regarding Lukas Erickson, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2203, regarding the Sixty-fifth Wedding Anniversary of Phillip and Meta Hull, Tarkio, which was adopted.

Senator Hegeman offered Senate Resolution No. 2204, regarding the Fiftieth Wedding Anniversary of Gary and Clarice Lawrence, Milan, which was adopted.

Senator Hegeman offered Senate Resolution No. 2205, regarding the One Hundredth Birthday of Faye Moses, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2206, regarding the Fiftieth Wedding Anniversary of Wayne and Bonnie Collins, Barnard, which was adopted.

Senator Pearce offered Senate Resolution No. 2207, regarding Kari Collett, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 2208, regarding the One Hundred Seventy-fifth Anniversary of Henderson's Drug Store, Glasgow, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2209, regarding Farm Credit System and FCS Financial, which was adopted.

Senator Cunningham offered Senate Resolution No. 2210, regarding Linda Sharp, Marshfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 2211, regarding Loy Shortt, Ava, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, May 9, 2016.

SENATE CALENDAR

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SIXTY-SIXTH DAY—MONDAY, MAY 9, 2016

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FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566
HCS for HB 1605

HCS for HJR 98

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 10. HCS for HB 2496 (Hegeman) |
| 2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 11. HCS for HB 2402, with SCS (Pearce)
(In Fiscal Oversight) |
| 3. HCS for HB 1941, with SCS (Keaveny)
(In Fiscal Oversight) | 12. HCS for HB 1561, with SCS (Schatz) |
| 4. HCS for HB 1463 (Kraus)
(In Fiscal Oversight) | 13. HB 2237-Rowden |
| 5. HCS for HB 1583, with SCS (Schmitt) | 14. HCS for HB 1451, with SCS (Pearce) |
| 6. HCS for HB 2379, with SCS (Kehoe)
(In Fiscal Oversight) | 15. HB 1716-Lichtenegger, with SCS
(Munzlinger) |
| 7. HCS for HB 1912, with SCS (Schatz) | 16. HCS for HB 1695, with SCS (Wasson) |
| 8. HB 1816-Koenig, with SCS (Wasson)
(In Fiscal Oversight) | 17. HCS for HBs 1589 & 2307, with SCS
(Emery) |
| 9. HCS for HB 1718 (Romine) | 18. HCS for HB 2194, with SCS (Wasson) |
| | 19. HCS for HB 2445 (Libla) |
| | 20. HB 1786-Pike, with SCS (Pearce) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 596-Kraus, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS
SCS for SBs 662 & 587-Dixon
SB 680-Emery
SB 686-Wallingford, with SCS
SB 706-Dixon
SB 719-Emery, with SCS
SB 733-Dixon
SB 734-Dixon
SB 771-Onder
SB 772-Onder, with SCS
SB 774-Schmitt
SB 775-Schaefer
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)
SBs 789 & 595-Wasson, with SCS
SB 792-Richard
SB 793-Richard
SB 798-Kraus, with SCS
SB 802-Sater
SB 805-Onder, with SCS
SB 806-Onder, with SCS
SB 812-Keaveny
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)
SB 830-Wasson, with SCS
SB 848-Emery, with SCS
SBs 851 & 694-Brown, with SCS
SB 853-Brown
SB 858-Romine, with SCS & SS for SCS (pending)
SB 868-Wasson
SB 871-Wallingford
SB 883-Riddle
SB 894-Munzlinger, with SS (pending)
SB 896-Hegeman
SB 898-Cunningham
SB 908-Sater, with SCS
SB 916-Schaefer
SB 920-Schmitt and Kraus
SB 951-Wasson, with SA 1 (pending)
SB 964-Wallingford, with SCS (pending)
SB 966-Schaaf
SB 972-Silvey
SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 995-Riddle
SB 1003-Onder
SB 1004-Onder
SB 1005-Walsh
SBs 1010, 958 & 878-Curls, with SCS
SB 1012-Dixon
SB 1014-Dixon
SB 1026-Schatz, with SCS
SB 1028-Silvey, et al, with SCS
SB 1033-Pearce
SB 1066-Curls
SB 1074-Schmitt, with SCS
SB 1075-Wallingford
SB 1085-Pearce
SB 1091-Riddle
SB 1094-Kehoe, with SCS
SB 1096-Dixon and Keaveny, with SS (pending)
SB 1117-Wasson, with SCS
SB 1120-Hegeman, et al
SB 1131-Sifton
SB 1144-Brown
SJR 23-Sater, with SS (pending)
SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)	HCS for HB 1850 (Wasson)
HCS for HBs 1434 & 1600, with SCS (Walsh)	HB 1892-Rehder (Schatz)
HB 1435-Koenig (Kraus)	HCS for HB 1898 (Emery)
HB 1443-Leara, with SA 1 (pending) (Riddle)	HCS for HB 1904, with SCS (Wallingford)
HB 1452-Hoskins, with SCS (Pearce)	HCS for HB 1930 (Riddle)
HCS for HB 1464, with SCS (Brown)	HCS for HB 2029 (Sater)
HB 1472-Dugger, with SS & SA 4 (pending) (Dixon)	HCS for HB 2038 (Munzlinger)
HCS for HB 1474, with SCS (Kraus)	HB 2104-Alferman, with SCS (Schmitt)
HB 1478-Entlicher, with SCS (Pearce)	HB 2111-Eggleston (Sater)
HB 1479-Entlicher (Romine)	HCS for HB 2150 (Wieland)
HB 1534-Flanigan, with SCS (Schaefer)	HB 2166-Alferman, with SCS, SS#2 for SCS, SA 1 & SSA 1 for SA 1 (pending) (Onder)
HB 1565-Engler (Dixon)	HCS for HB 2187, with SCS (pending) (Cunningham)
HB 1575-Rowden, with SCA 1 (Onder)	HCS for HB 2202, with SCS (Dixon)
HB 1588-Franklin, with SCS (Parson)	HB 2226-Barnes (Silvey)
HCS for HB 1599, with SCS (Sater)	HB 2230-Ross (Schatz)
HB 1619-McCaherty (Dixon)	HCS for HBs 2234 & 1985 (Pearce)
HB 1643-Hicks (Brown)	HB 2257-Jones, with SCS (Wieland)
HCS for HB 1649, with SCS (Parson)	HCS for HB 2332, with SCS, SS for SCS, SA 1 & point of order (pending) (Dixon)
HCS for HB 1658 (Onder)	HCS for HB 2376, with SCS (Wasson)
HCS for HB 1675, with SCS (Munzlinger)	HCS for HB 2380, with SCS (Schatz)
HB 1678-Solon, with SCS (Pearce)	HCS for HB 2381 (Munzlinger)
HCS for HB 1696, with SCS (Riddle)	HCS for HB 2397 (Romine)
HCS for HB 1717, with SS (pending) (Wallingford)	HB 2429-Dohrman, with SCS (Parson)
HCS for HB 1729 (Munzlinger)	HB 2590-Plocher, with SCS (Keaveny)
HB 1745-Brattin, with SCS (Schatz)	HCS for HB 2689, with SS, SA 1 & SSA 1 for SA 1 (pending) (Silvey)
HCS for HB 1759, with SCS (Dixon)	SS for HJR 53-Dugger (Kraus) (In Fiscal Oversight)
HCS for HB 1776 (Romine)	HJR 58-Brown (57) (Romine)
HCS for HBs 1780 & 1420 (Pearce)	
HB 1795-Haefner, with SCS (Sater)	
HCS for HB 1804, with SCS, SS for SCS, SA 3 & SSA 1 for SA 3 (pending) (Emery)	

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)
HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 2183-Roeber (Curls)

HB 2480-Justus (Sater)
HB 1473-Dugger, with SCS (Wasson)
HB 1388-Roeber (Dixon)
HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 688 & 854-Romine, with HCS,
as amended
SB 702-Munzlinger, with HA 1

SCS for SB 814-Wallingford, et al, with
HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS,
as amended (Senate adopted CCR &
passed CCS)
SCS for SB 578-Keaveny, with HCS, as
amended (Senate adopted CCR &
passed CCS)
SB 607-Sater, with HCS, as amended
SS for SB 608-Sater, with HCS, as amended
SS for SB 621-Romine, with HCS, as
amended
SB 635-Hegeman, with HCS, as amended
SCS for SB 638-Riddle and Silvey, with HA 1,
HA 2, HA 3, HA 4, HA 5, as amended,
HA 6, HA 7, HA 8, HA 9 & HA 10

SB 639-Riddle, with HCS, as amended
SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9
SB 677-Sater, with HCS, as amended
SB 700-Schatz, with HA 1, as amended &
HA 2 (Senate adopted CCR & passed CCS)
SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR &
passed CCS)
SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended
SCS for SB 823-Kraus, with HCS, as amended
SB 864-Sater, with HCS, as amended

SS for SCS for SBs 865 & 866-Sater, with HCS, as amended (Senate adopted CCR & passed CCS)
 SB 867-Sater, with HCS, as amended
 SCS for SB 921-Riddle, with HA 1, as amended, HA 2, HA 3, HA 4, HA 5 & HA 6, as amended

SCS for SB 973-Wasson, with HCS, as amended
 HCS for HB 1584, with SCS, as amended (Schmitt)

Requests to Recede or Grant Conference

SB 625-Walsh, with HCS, as amended (Senate requests House recede or grant conference)
 SB 640-Schatz, with HCS, as amended (Senate requests House recede or grant conference)
 SB 656-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 SCS for SB 703-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 SS for SB 786-Kraus, with HCS, as amended (Senate requests House recede or grant conference)

SB 852-Brown, with HA 1, HA 2, as amended & HA 3 (Senate requests House recede or grant conference)
 SB 988-Kraus, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5 (Senate requests House recede or grant conference)
 SB 994-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 HB 1870-Hoskins, with SAs 1, 3, 4 & 5 (Pearce) (Senate requests House take up and pass the bill)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
 SCR 54-Walsh
 SCR 55-Holsman
 SCR 56-Brown
 SCR 59-Emery
 SCR 60-Curls
 SCR 61-Parson
 SCR 63-Curls and Munzlinger

SCR 68-Schupp
 SR 2062-Pearce
 HCS for HCR 57 (Schaefer)
 HCR 61-Engler (Dixon)
 HCR 63-Taylor (Wieland)
 HCR 69-Miller (Brown)
 HCS for HCR 73 (Brown)

To be Referred

SR 2196-Emery

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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