

# Journal of the Senate

FIRST REGULAR SESSION

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**SEVENTEENTH DAY—THURSDAY, FEBRUARY 5, 2015**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Most High, when I am afraid, I put my trust in you. In God, whose word I praise, in God I trust; I am not afraid....” (Psalm 56:2b-4a)

Gracious God, we face many difficulties every day and it wears us down most times, but in the midst of what we face, we rely on Your steadfast love and grace, Your mercy and love. So, be with us all source of hope, watching “our going out and coming in” bringing us safely home to our loved ones. And, may we receive Your word this weekend to guide us and may our worship be acceptable to 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.

Photographers from KRCG-TV 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	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**RESOLUTIONS**

Senator Schmitt offered Senate Resolution No. 263, regarding Sarah Dunn, St. Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 264, regarding the death of Christopher Allen Tindall, Lee's Summit, which was adopted.

**INTRODUCTION OF BILLS**

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

**SB 403**—By Kehoe.

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to ratemaking for gas corporations.

**SB 404**—By Kehoe.

An Act to repeal sections 288.036 and 288.060, RSMo, and to enact in lieu thereof two new sections relating to the definition of wages under the employment security law.

**SB 405**—By Hegeman.

An Act to repeal section 52.260, RSMo, and to enact in lieu thereof one new section relating to fees collected by the county collector.

**SB 406**—By Munzlinger.

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with existing penalty provisions.

**SB 407**—By Onder.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the reimbursement of emergency medical services.

**SB 408**—By Libla.

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

**SB 409**—By Wallingford.

An Act to repeal sections 70.210, 92.077, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 321.015, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty new sections relating to emergency services, with penalty provisions.

**SB 410**—By Wallingford.

An Act to repeal section 650.055, RSMo, and section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 568.040 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to criminal nonsupport, with a penalty provision.

**SB 411**—By Brown.

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to the licensure examination requirements for physicians and surgeons.

**SB 412**—By Romine.

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to arbitration agreements between employers and at-will employees.

**SB 413**—By Romine.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to natural resource damages.

**SB 414**—By Wasson.

An Act to repeal sections 198.006 and 198.073, RSMo, and to enact in lieu thereof two new sections relating to long-term care facilities.

**SB 415**—By Wasson.

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to advanced practice registered nurses practicing pursuant to collaborative practice arrangements.

**SB 416**—By Wasson.

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to the disposition of dead bodies.

**REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Christopher Rohlfing, Independent, as a member of the Missouri Veterinary Medical Board;

Also,

Elizabeth Wood, as the student representative of the University of Central Missouri Board of Governors;

Also,

Austin D. Cordell, as the student representative of the Southeast Missouri State University Board of Regents;

Also,

Kimberlee J. Pate, as a member of the Missouri State Foster Care and Adoption Board;

Also,

Caleb Austin Doyle, as the student representative of the Missouri State University Board of Governors;

Also,

John R. Twitty, Republican, Judene R. Blackburn, Independent and Phyllis Ann Chase, Democrat, as members of the State Lottery Commission;

Also,

Mark E. Jordan, Republican, as a member of the Hazardous Waste Management Commission;

Also,

Reena Hajat Carroll, Democrat, as a member of the Missouri Community Service Commission;

Also,

Peter W. Detweiler, as a member of the Higher Education Loan Authority of the State of Missouri;

Also,

Brian Jamison, Republican, as a member of the Missouri Gaming Commission;

Also,

Damon S. Porter, as Director of the Division of Employment Security;

Also,

Michael B. Pace, Independent, as a member of the State Highways and Transportation Commission; and

Nancy C. Hagan, Democrat, as a member of the Missouri Ethics Commission.

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

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

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Nia V. Ray, as Director of the Department of Revenue, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Romine assumed the Chair.

Senator Kehoe moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Maynard Wallace, Republican, as a member of the State Board of Education, begs leave to report that

it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Cunningham moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment.

Senator Emery requested a roll call vote be taken on the appointment of Maynard Wallace, Republican, as a member of the State Board of Education. He was joined in his request by Senators Kehoe, Onder, Wallingford and Schatz.

Senator Cunningham moved that the committee report on Maynard Wallace, Republican, as a member of the State Board of Education be adopted and the Senate do give its advice and consent to said appointment, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schmitt
Schupp	Sifton	Walsh	Wasson	Wieland—29			

NAYS—Senators

Emery	Onder	Schatz	Silvey	Wallingford—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Phillip H. Snowden, Democrat, as a member of the University of Missouri Board of Curators, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Silvey moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Maurice B. Graham, Democrat, as a member of the University of Missouri Board of Curators, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Chappelle-Nadal moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

**MESSAGES FROM THE GOVERNOR**

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

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 5, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 7, 2015, for your advice and consent:

Terry R. Adams, Democrat, 14 Charlemagne Court, Lake Saint Louis, Saint Charles County, Missouri 63367, as a member of the State Lottery Commission, for a term ending September 7, 2015, and until his successor is duly appointed and qualified; vice, Gina Hoagland, term expired.

Oliver Glenn Boyer, 301 Ninth Street, Crystal City, Jefferson County, Missouri 63019, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Emmett W. Fairfax, term expired.

James H. Chapman III, Democrat, 4100 Tyler Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Elevator Safety Board, for a term ending June 6, 2015, and until his successor is duly appointed and qualified; vice, John J. McNerney, term expired.

Susan Cole, Independent, 233 West Old Watson Road, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2016, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Michelle Crockett, 221 South Highway J, Lamar, Barton County, Missouri 64759, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until her successor is duly appointed and qualified; vice, Richard C. Dunn, term expired.

Deborah Curtis, Independent, 118 Hidden Pines Lane, Warrensburg, Johnson County, Missouri 64093, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2018, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Ve' Shawn Dixon, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Ashton Raffety, term expired.

Christina M. Ferguson, 10001 North Revere Court, Kansas City, Platte County, Missouri 64154, as a member of the State Board of Pharmacy, for a term ending December 3, 2019, and until her successor is duly appointed and qualified; vice, James D. Riddle, term expired.

David E. Gurian, 2309 Parkridge Avenue, Brentwood, Saint Louis County, Missouri 63144, as a member of the organ Donation Advisory Committee, for a term ending December 12, 2015, and until his successor is duly appointed and qualified; vice, Lonnie M. Boyd, term expired

Jason Hall, 4142 Shenandoah, Saint Louis City, Missouri 63110, as a member of the Missouri Technology Corporation, for a term ending March 3, 2017, and until his successor is duly appointed and qualified; vice, Keith Gary, term expired.

Frank James Logan Sr., Democrat, 3018 Rutger Street, Saint Louis City, Missouri 63104, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, John McGuire, withdrawn.

Paul M. Maloney, Republican, 5823 Delor, St. Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Jack Lary, term expired.

David W. Murphy, Democrat, 1709 Cliff Drive, Columbia, Boone County, Missouri 65201, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Mary E. Nelson, Democrat, 4100 Laclede Avenue, Saint Louis City, Missouri 63108, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, P. Wayne Goode, term expired.

Thomas Rodenberg, Democrat, 1005 Southwest 44<sup>th</sup> Street, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Donald Yarber, term expired.

Christie L. Rodriguez, 406 South Main Street, Nevada, Vernon County, Missouri 64772, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2016, and until her successor is duly appointed and qualified; vice, Michael A. Cabello, withdrawn.

Leland M. Shurin, Democrat, 411 West 46 Terrace #1101, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Darryl Jones, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Senator Dempsey moved that the above appointments be returned to the Governor per his request, which motion prevailed.

## **SECOND READING OF SENATE BILLS**

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

**SJR 1**—Agriculture, Food Production and Outdoor Resources.

**SJR 2**—Financial and Governmental Organizations and Elections.

**SJR 3**—Jobs, Economic Development and Local Government.

**SJR 4**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 5**—Financial and Governmental Organizations and Elections.

President Pro Tem Dempsey assumed the Chair.

## **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 149**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 35**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 24**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine assumed the Chair.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 15** and **SS No. 2** for **SCS** for **SB 11**, 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.

## COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 5, 2015

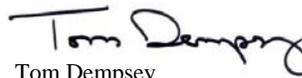
Ms. Adriane Crouse  
Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, MO 65101

Dear Ms. Crouse:

Please be advised that I am appointing Senator Ryan Silvey to the Joint Committee on Administrative Rules (JCAR).

Please feel free to contact me should you have any questions.

Sincerely,



Tom Dempsey

## INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, representatives of the Kings of Historically Black College and Universities: Darren Bragg, Tennessee State University; Brian Fenderson, Lincoln University; Charles Mitchell, Fisk; Ashton Davis, LeMoyne-Owen College; Joseph Reese, Huston-Tillotson University; Roger Thomas, III, Prairie View A&M; James Jones, Delaware State University; James Bowen, North Carolina Agriculture and Technical State University; Dionte Salvi, University of Maryland Eastern Shore; and Brandon Bowden, Winston-Salem State University.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 9, 2015.

SENATE CALENDAR

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EIGHTEENTH DAY—MONDAY, FEBRUARY 9, 2015

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 259-Wallingford
SB 235-Dixon	SB 260-Schaefer
SB 236-Keaveny	SB 261-Schaefer
SB 237-Keaveny, et al	SB 262-Schaefer
SB 238-LeVota	SB 263-Schaefer
SB 239-Brown	SB 264-Schaefer
SB 240-Keaveny and Schaaf	SB 265-Schaefer
SB 241-Keaveny	SB 266-Schaefer
SB 242-Dixon	SB 267-Schaefer
SB 243-Schmitt	SB 268-Pearce
SB 244-Schmitt	SB 269-Nasheed
SB 245-Hegeman	SB 270-Nasheed
SB 246-Hegeman	SB 271-Silvey
SB 247-Sifton	SB 272-Riddle, et al
SB 248-Schaefer	SB 273-Riddle
SB 249-Holsman	SB 274-Schupp
SB 250-Onder	SB 275-Schupp
SB 251-Onder	SB 276-Walsh
SB 252-Romine	SB 277-Walsh
SB 253-Romine	SB 278-Schatz
SB 254-Kraus	SB 279-Brown
SB 255-Schaaf and Holsman	SB 280-Keaveny
SB 256-Sater and Nasheed	SB 281-Silvey
SB 257-Sater	SB 282-Parson
SB 258-Wallingford	SB 283-Kehoe

SB 284-Munzlinger	SB 320-Wallingford
SB 285-Kehoe	SB 321-Hegeman
SB 286-Schaaf and Silvey	SB 322-Dempsey
SB 287-Silvey	SB 323-Munzlinger
SB 288-Schatz	SB 324-Munzlinger
SB 289-Schatz	SB 325-Sater
SB 290-Schaefer	SB 326-Sater
SB 291-Cunningham	SB 327-Onder
SB 292-Munzlinger	SB 328-Schupp
SB 293-Parson	SB 329-Schupp
SB 294-Schaaf	SB 330-Parson
SB 295-Schaaf	SB 331-Libla
SB 296-Schaaf	SB 332-Nasheed
SB 297-Holsman	SB 333-Nasheed
SB 298-Kraus	SB 334-Nasheed
SB 299-Pearce	SB 335-Holsman
SB 300-Silvey	SB 336-Kraus
SB 301-Silvey	SB 337-Munzlinger
SB 302-Riddle	SB 338-Munzlinger
SB 303-Keaveny	SB 339-Munzlinger
SB 304-Keaveny	SB 340-Pearce
SB 305-Onder	SB 341-Riddle
SB 306-Onder	SB 342-Brown
SB 307-Curls	SB 343-Wasson
SB 308-Curls	SB 344-Wasson
SB 309-Curls	SB 345-Wasson
SB 310-Emery	SB 346-Wasson
SB 311-Emery	SB 347-Dixon
SB 312-Schmitt	SB 348-Schaefer
SB 313-Wallingford	SB 349-Schaefer
SB 314-Wallingford	SB 350-Schaefer
SB 315-Dixon	SB 351-Schaefer
SB 316-Brown	SB 352-Schaefer
SB 317-Brown	SB 353-Silvey
SB 318-Cunningham and Libla	SB 354-Sater
SB 319-Schaaf and Silvey	SB 355-Brown

SB 356-Nasheed	SB 391-Curls
SB 357-Nasheed	SB 392-Wieland
SB 358-Kehoe	SB 393-Schupp
SB 359-Kehoe	SB 394-Wallingford
SB 360-Parson	SB 395-Holsman
SB 361-Parson	SB 396-Holsman
SB 362-Parson	SB 397-Silvey
SB 363-Parson	SB 398-Schatz
SB 364-Parson	SB 399-Onder
SB 365-Schmitt	SB 400-Onder
SB 366-Schmitt	SB 401-Schmitt and Richard
SB 367-Kraus	SB 402-Wieland
SB 368-Pearce	SB 403-Kehoe
SB 369-Pearce	SB 404-Kehoe
SB 370-Munzlinger	SB 405-Hegeman
SB 371-Munzlinger	SB 406-Munzlinger
SB 372-Keaveny	SB 407-Onder
SB 373-Libla	SB 408-Libla
SB 374-Schatz	SB 409-Wallingford
SB 375-Schatz	SB 410-Wallingford
SB 376-Schatz	SB 411-Brown
SB 377-Schatz	SB 412-Romine
SB 378-Schatz	SB 413-Romine
SB 379-Schatz	SB 414-Wasson
SB 380-Wieland	SB 415-Wasson
SB 381-Dixon	SB 416-Wasson
SB 382-Dixon	SJR 6-Curls
SB 383-Wallingford	SJR 7-Richard and Wallingford
SB 384-Munzlinger	SJR 8-Schmitt
SB 385-Keaveny	SJR 9-Schmitt
SB 386-Keaveny	SJR 10-Sater
SB 387-Wasson	SJR 11-Emery
SB 388-Wasson	SJR 12-Onder
SB 389-Silvey and Walsh	SJR 13-Schaaf
SB 390-Curls	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259

HB 150-Fitzpatrick

THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)

SS for SCS for SB 15-Dixon and LeVota

SCS for SB 38-Romine (In Fiscal Oversight)

SS#2 for SCS for SB 11-Richard

SENATE BILLS FOR PERFECTION

SB 14-Munzlinger

SB 149-Parson, with SCS

SB 26-Sater and Schupp, with SCS

SB 35-Wallingford, with SCS

SB 5-Schmitt, et al, with SCS

SB 24-Sater, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 15-Riddle

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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