

# Journal of the Senate

SECOND REGULAR SESSION

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NINETEENTH DAY—TUESDAY, FEBRUARY 9, 2016

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But you have been anointed by the Holy One, and all of you have knowledge.” (1John 2:20)

Lord God, You rule and govern our hearts and minds by Your Holy Spirit, always keeping in mind the end of what we are about, we do so by Your guidance. May we be stirred up to holiness of life here and may we live with You forever in the future You hold in Your hands. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

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

Present—Senators

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

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

### **RESOLUTIONS**

Senator Emery offered Senate Resolution No. 1407, regarding Eagle Scout Dylan Guy Morris, which was adopted.

Senator Parson offered Senate Resolution No. 1408, regarding Alex Porter, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 1409, regarding Lanie Beard, Sedalia, which was adopted.

### **INTRODUCTION OF BILLS**

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

**SB 1038**—By Nasheed.

An Act to repeal section 650.058, RSMo, and to enact in lieu thereof one new section relating to wrongful conviction compensation.

**SB 1039**—By Silvey.

An Act to amend chapter 96, RSMo, by adding thereto one new section relating to municipal hospitals.

**SB 1040**—By Kraus.

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

**SB 1041**—By Schatz and Schaaf.

An Act to amend chapter 128, RSMo, by adding thereto one new section relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

**SB 1042**—By Holsman.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the protection of student data.

**SB 1043**—By Wieland.

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof two new sections relating to towing companies, with penalty provisions.

### **REFERRALS**

President Pro Tem Richard referred **SCR 64** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **SENATE BILLS FOR PERFECTION**

Senator Parson moved that **SB 664** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 664** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 703**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 703**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 703

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 703** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Munzlinger, **SCS** for **SB 703** was declared perfected and ordered printed.

Senator Emery moved that **SB 847** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 847**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 847

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Senator Emery moved that **SS** for **SB 847** be adopted.

At the request of Senator Emery, **SB 847**, with **SS** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 639**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

**SENATE BILLS FOR PERFECTION**

Senator Romine moved that **SB 620** and **SB 582**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Romine moved that **SCS** for **SBs 620** and **582** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 620** and **582** was declared perfected and ordered printed.

**THIRD READING OF SENATE SENATE BILLS**

**SB 660**, introduced by Senator Wasson, entitled:

An Act to repeal section 110.140, RSMo, and to enact in lieu thereof one new section relating to bidding procedures for county depositaries, with a penalty provision.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 660** 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	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators

Parson            Schaefer            Schmitt—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 887**, introduced by Senator Walsh, entitled:

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 887** 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	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson            Wieland—30

NAYS—Senators—None

Absent—Senators

Parson            Schaefer—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 818**, introduced by Senators Schatz and Riddle, with **SCS**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

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

**SCS** for **SB 818**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 818

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

Was taken up.

Senator Schatz moved that **SCS** for **SB 818** be adopted, which motion prevailed.

Senator Onder assumed the Chair.

On motion of Senator Schatz, **SCS** for **SB 818** 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	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Schaefer            Schupp—2

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.

**REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 620** and **582**; **SCS** for **SB 703**; and **SB 664**, 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.

On motion of Senator Kehoe, the Senate recessed until 4:30 p.m.

**RECESS**

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

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 1410, regarding the Sixty-fifth Wedding Anniversary of Wayne F. and Verna L. Miller, Lone Jack, which was adopted.

Senator Sater offered Senate Resolution No. 1411, regarding the Fiftieth Wedding Anniversary of Lee and Barbara Wilson, Billings, which was adopted.

Senator Sater offered Senate Resolution No. 1412, regarding Joe Combs, Bradleyville, which was adopted.

Senator Sifton offered Senate Resolution No. 1413, regarding Don Rau, Festus, which was adopted.

Senator Sifton offered Senate Resolution No. 1414, regarding Saint Louis Patriot Guard Riders, which was adopted.

Senator Kehoe offered Senate Resolution No. 1415, regarding Eagle Scout Kyle Brink, Tipton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1416, regarding Eagle Scout Gregory Dean Schroeder, California, which was adopted.

Senator Riddle offered Senate Resolution No. 1417, regarding Michael Craddock, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 1418, regarding Cecelia Jones, Fulton, which was adopted.

Senator Onder offered Senate Resolution No. 1419, regarding the 2015 Class 2 State Champion St. Charles County Girls Volleyball Cougars, which was adopted.

**SENATE BILLS FOR PERFECTION**

Senator Emery moved that **SB 847**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SB 847** was again taken up.

Senator Emery moved that **SS** for **SB 847** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 847, Page 3, Section 490.715, Line 11 of said page, by inserting after all of said line the following:

**“6. Notwithstanding any statutory provision to the contrary, if the plaintiff or his or her employer or other representative has paid premiums or other payments to an insurer or authorized representative for the purpose of having such insurer or authorized representative pay all or any part of the plaintiff’s special damages, the plaintiff may introduce evidence of the present value of all such premiums or other payments and may recover such amount as part of his or her special damages.”.**

Senator Nasheed moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Nasheed offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 847, Page 1, Section 490.715, Line 10 by inserting immediately after “damages” the following **“in addition to all other damages.”**

Senator Nasheed moves that the above amendment be adopted.

At the request of Senator Emery, **SB 847**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE GOVERNOR**

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

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 9, 2016

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

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mathew R. Martinez, 1205 Cambridge Drive, Warrensburg, Johnson County, Missouri 64093, as a student representative of the University of Central Missouri Board of Governors, for a term ending December 31, 2017, and until his successor is duly appointed and qualified; vice, Elizabeth Wood, resigned.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

February 9, 2016

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

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Daryl R. Sorrell, 3667 County Road 410, Poplar Bluff, Butler County, Missouri 63901, as a member of the Seismic Safety Commission, for a term ending July 1, 2018, and until his successor is duly appointed and qualified; vice, Donald Shaw, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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

### **INTRODUCTIONS OF GUESTS**

Senator Pearce introduced to the Senate, Mayor Taylor Elwell, Leeton.

Senator Pearce introduced to the Senate, Professors Adriatik Likcani and Ryan Peterson; and Lauren Peters, Michellei Sika, Callie Porter, Lisa Welch, Shelby Koetting, Shelby Kenny, Mariah Wright, Kamille Greene, Raven Shelton, Scout Miller, Blake Dorsey, Jessica Greene, Amanda McCullough, Bentley Littrell and Kelsey Moore, representatives of the Child and Family Development Program-UCM and the Missouri Association for Marriage and Family Therapy.

Senator Hegeman introduced to the Senate, Paula Overfelt, Heidi Hegeman, Misty Todd, and Cory Smith, Northwest Missouri AHEC.

Senator Schupp introduced to the Senate, Steven Lobser, Pattonville High School.

Senator Nasheed introduced to the Senate, Cenia Bosman and representatives of YMCA, St. Louis.

Senator Schaaf introduced to the Senate, Sheriff Paul Vescovo, Liberty; and Sheriff Mark Owen, Platte City.

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Garry Gaddis, Kansas City.

Senator Kehoe introduced to the Senate, Will Robertson, Hunter Hennier, Anna Massman and Brianna Hall and members of the 2015 Class 2 State Second Place Softball team, the 2015 Class 3 State Fourth place Lady Comet Track and Field Team, the 2015 Class 3 State Fourth place Boys Cross Country team, the 2015 Class 3 State Champion Baseball team and the 2015 Class 2 State Champion Lady Comet Cross Country, Fatima High School, Westphalia.

On behalf of Senators Schaaf, Hegeman, Schaefer, Riddle, Pearce, Kehoe, Sater, Parson, Richard, Cunningham, Schatz, Libla, Wallingford and himself, Senator Munzlinger introduced to the Senate, Maggie Voisard, Faucett; Adam Kirby, Trenton; Hadley Williams, Milan; Alex Stichnote, Ashland; Brandelyn Martin, Silex; Austin Boland, Sweet Springs; Rylee Streit, Holden; Jacob Hoellering, California; Ty Whittaker, Miller; Tanner Koenig, Flemington; Maura Butler, Seneca; Clay Smith, Mansfield; Hunter Corman, Pomona; Braxton Hoemann, Washington; Alexa Nordwald, East Prairie; and Morgan Taylor, Greenville, 2016 State FFA Officers.

Senator Nasheed introduced to the Senate, Chester Deanes, St. Louis.

On behalf of Senator Onder, the President introduced to the Senate, Dan Schwartz and Glen Klausner, Augusta.

Senator Pearce introduced to the Senate, Denise Carrick Hedges, Priscilla Barrios, Cierra Bergen, Maria Campos, Fortunate Zondo, Kenzi Bacchus, Grace Cole, Maurissa Cunningham, Mame Dia, Sophia Dominguez-Heithoff, Nicole D'Souza, Alexandra Green, Hannah Hall, Charlene Hansen, Catherine Henne, Taylor Holmes, Lauren Ingraham, Alaina Kent, Renny Ma, Elisabeth (Libby) Miller, Hannah Motley, Evelyn Shelby, JoLynn Smith, Athena Tran, Mahasin Tutu and Brittanie Whitney, Girls Leadership Program, Kansas City.

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

SENATE CALENDAR

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TWENTIETH DAY—WEDNESDAY, FEBRUARY 10, 2016

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1037-Schaefer
SB 1030-Schupp	SB 1038-Nasheed
SB 1031-Sater	SB 1039-Silvey
SB 1032-Wieland	SB 1040-Kraus
SB 1033-Pearce	SB 1041-Schatz and Schaaf
SB 1034-Romine	SB 1042-Holsman
SB 1035-Romine	SB 1043-Wieland
SB 1036-Keaveny	SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1619-McCaherty
HCS for HB 1562	HB 1478-Entlicher
HCS for HB 1658	HB 1668-Gosen
HB 1594-Crawford	HB 1733-Davis

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)	SB 639-Riddle
SB 677-Sater	SCS for SBs 620 & 582-Romine
SB 711-Brown	SCS for SB 703-Munzlinger
	SB 664-Parson

## SENATE BILLS FOR PERFECTION

- |                                   |   |
|-----------------------------------|---|
| 1. SB 608-Sater                   | 17. SB 799-Kraus                        |
| 2. SB 621-Romine                  | 18. SB 875-Schaefer                     |
| 3. SB 581-Schaaf                  | 19. SB 573-Schmitt                      |
| 4. SB 607-Sater                   | 20. SB 919-Schmitt, with SCS            |
| 5. SB 619-Wallingford             | 21. SB 879-Brown                        |
| 6. SB 644-Onder, with SCS         | 22. SB 665-Parson                       |
| 7. SB 682-Cunningham and Romine   | 23. SB 835-Wasson                       |
| 8. SB 704-Munzlinger, with SCS    | 24. SBs 865 & 866-Sater, with SCS       |
| 9. SB 838-Silvey, et al, with SCS | 25. SB 700-Schatz                       |
| 10. SB 783-Onder                  | 26. SB 823-Kraus, with SCS              |
| 11. SB 640-Schatz                 | 27. SB 814-Wallingford, et al, with SCS |
| 12. SB 656-Munzlinger             | 28. SB 612-Cunningham                   |
| 13. SB 732-Munzlinger             | 29. SBs 688 & 854-Romine, with SCS      |
| 14. SB 641-Schatz                 | 30. SB 802-Sater                        |
| 15. SB 706-Dixon                  | 31. SB 804-Onder, with SCS              |
| 16. SB 794-Wallingford, with SCS  | 32. SB 623-Libla                        |

## HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of  
order (pending)  
SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)  
SB 847-Emery and Richard, with SS, SA 1  
& SA 1 to SA 1 (pending)

## CONSENT CALENDAR

Senate Bills

Reported 2/4

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

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