

# Journal of the Senate

SECOND REGULAR SESSION

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**TWENTY-SECOND DAY—MONDAY, FEBRUARY 15, 2016**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Determine that the thing can be done and shall be done, and then we shall find the way.” (Abraham Lincoln)

We are thankful for our safe travel this day and look forward to the week and work ahead of us. We know there are increasing challenges facing us, so we pray for wisdom to determine what we should be about and what must be done. And we pray that You will help us find ways to work together to get those priorities done. 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 for Thursday, February 11, 2016 was read and approved.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators

Holsman Richard—2

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe announced photographers from KRCG-TV and St. Louis Public Radio were given

permission to take pictures in the Senate Chamber.

### **RESOLUTIONS**

Senator Emery offered Senate Resolution No. 1435, regarding Eagle Scout Justin Sperry, Peculiar, which was adopted.

Senator Pearce offered Senate Resolution No. 1436, regarding Shea Fitzgerald, Johnson County, which was adopted.

Senator Pearce offered Senate Resolution No. 1437, regarding Corbin Bell, Lafayette County, which was adopted.

Senator Schaaf offered Senate Resolution No. 1438, regarding Katelyn Leape, Platte County, which was adopted.

Senator Schmitt offered Senate Resolution No. 1439, regarding Barretts Elementary School, which was adopted.

Senator Schmitt offered Senate Resolution No. 1440, regarding Michael T. Cibulka, which was adopted.

Senator Schmitt offered Senate Resolution No. 1441, regarding Ted and Katie Lee Collier, which was adopted.

Senator Schmitt offered Senate Resolution No. 1442, regarding James and Martha Durbin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1443, regarding Angie Lolley, which was adopted.

Senator Schmitt offered Senate Resolution No. 1444, regarding Abby Christensen, Kirkwood, which was adopted.

Senator Dixon offered Senate Resolution No. 1445, regarding Eagle Scout Steven Alexander Jett, Springfield, which was adopted.

Senator Libla offered Senate Resolution No. 1446, regarding Captain George E. Ridens, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 1447, regarding the One Hundredth Anniversary of United Hebrew Congregation, Joplin, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1448, regarding Wava McHenry, La Plata, which was adopted.

Senator Schaefer offered the following resolution:

#### SENATE RESOLUTION NO. 1449

Relating to ride to work day in Missouri.

Whereas, scooters and motorcycles use comparatively less fuel, cause less pollution, and have less harmful impact on our infrastructure; and

Whereas, scooters and motorcycles require only a fraction of space taken by other vehicles to park; and

Whereas, future availability of fossil fuels is uncertain; and

Whereas, the use of fossil fuels continues to damage our health by adding to pollution; and

Whereas, our infrastructure repairs fail to keep pace with its degradation; and

Whereas, scooters and motorcycles, for these reasons, offer a form of daily transportation to be encouraged; and

Whereas, June 20, 2016, has been designated as Ride to Work Day to highlight the positive daily use of scooters and motorcycles:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the third Monday in June of every year as Ride to Work Day in Missouri; and

Be it Further Resolved that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

### **INTRODUCTION OF BILLS**

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

**SB 1052**—By Pearce.

An Act to repeal section 536.031, RSMo, and to enact in lieu thereof two new sections relating to administrative rules for the regulation of hospitals.

**SB 1053**—By Pearce.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to marital and family therapy services.

Senator Pearce assumed the Chair.

**SB 1054**—By Schaefer.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to grant acceptance requirements.

**SB 1055**—By Riddle.

An Act to repeal section 552.020, RSMo, and to enact in lieu thereof one new section relating to persons committed to the department of mental health due to the lack of mental fitness to stand trial.

**SB 1056**—By Riddle.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

**SB 1057**—By Schaaf.

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph.

**SB 1058**—By Schaaf.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to replacement vaccines.

**SB 1059**—By Schaaf.

An Act to repeal sections 169.460 and 169.490, RSMo, and to enact in lieu thereof two new sections relating to the public school system of the City of St. Louis.

**SB 1060**—By Dixon.

An Act to repeal sections 190.241 and 192.737, RSMo, and to enact in lieu thereof two new sections

relating to hospital emergency care.

**SB 1061**—By Dixon.

An Act to repeal sections 610.026 and 610.100, RSMo, and to enact in lieu thereof two new sections relating to public records.

### REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 579**, begs leave to report that it has considered the same and recommends that the bill do pass.

### THIRD READING OF SENATE BILLS

**SB 579**, introduced by Senators Schaaf, Brown and Onder, entitled:

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting, with existing penalty provisions.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SB 579** 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	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman	Richard	Sifton—3
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Vacancies—2

The President declared the bill passed.

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.

### MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1472**, 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.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2140**, entitled:

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1582**, entitled:

An Act to repeal section 143.221, RSMo, and to enact in lieu thereof one new section relating to withholding tax returns.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2104**, entitled:

An Act to repeal sections 311.060 and 311.205, RSMo, and to enact in lieu thereof two new sections relating to liquor control.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1435**, entitled:

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales tax refund claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1593**, entitled:

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1479**, entitled:

An Act to repeal section 115.361, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1584**, entitled:

An Act to repeal section 559.600 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 559.600 as enacted by house bill no. 1550, ninety-fourth general assembly, second regular session, and to enact in lieu thereof one new section relating to private probation services for misdemeanor offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 585**.

Emergency clause adopted.

Bill ordered enrolled.

#### **SENATE BILLS FOR PERFECTION**

At the request of Senator Onder, **SB 644**, with **SCS**, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 682** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 682, Page 1, Section 34.030, Line 10, by inserting immediately after the word “website” the following: “**and to each publicly elected official that represents all or part of the county in which the land is to be purchased**”; and further amend said page and section, lines 13-18, by striking all of said lines; and further amend said bill and section, page 2, lines 22-26, by striking all of said lines and inserting in lieu thereof the following: “**notice of the public hearing on its departmental website and to each publicly elected official that represents all or part of the county in which the land is to be purchased at least fourteen calendar days prior to the hearing.**”; and

Further renumber the remaining subdivision accordingly.

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

On motion of Senator Cunningham, **SB 682**, as amended, was declared perfected and ordered printed.

**REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 581** and **SS** for **SB 621**, 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.

**INTRODUCTIONS OF GUESTS**

On behalf of Senators Pearce, Wallingford, Schaefer, Schaaf, Riddle, Kehoe, Onder, Schatz, Richard and himself, Senator Munzlinger introduced to the Senate, Corbin Bell, Higginsville; Maria Calvert, Leopold; Sage Eichenburch, Prairie Home; Shea Fitzgerald, Holden; Holly Hatfield, Kirksville; Katelyn Leape, Camden Point; Marlena Long, Paris; and Mitchell Moon, Tipton; Delaney Schmidt, Defiance; Hannah Smith, Villa Ridge; Jamaica Smith, Sikeston; and Sarah Townley, Golden City.

Senator Onder introduced to the Senate, Abigail Maiden, Jeannette Cruz, Rylee White and Chloe Layton, Wentzville; Alyssa Johnson, Harrisburg; and Alanna Tapley, Elsberry; Cooper Layton and Austin Tapley.

Senator Onder introduced to the Senate, Charles and Robina Williams, St. Charles County; and Avery, Eric and Annika Olson; and Avery, Eric and Annika were made honorary pages.

Senator Kehoe introduced to the Senate, Eric Landwehr and his sons, Nathanael and Zachary, Jefferson City.

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

## SENATE CALENDAR

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 TWENTY-THIRD DAY—TUESDAY, FEBRUARY 16, 2016
 

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## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1046-Schaefer
SB 1030-Schupp	SB 1047-Riddle
SB 1031-Sater	SB 1048-Riddle
SB 1032-Wieland	SB 1049-Schupp, et al
SB 1033-Pearce	SB 1050-Schaaf
SB 1034-Romine	SB 1051-Sater
SB 1035-Romine	SB 1052-Pearce
SB 1036-Keaveny	SB 1053-Pearce
SB 1037-Schaefer	SB 1054-Schaefer
SB 1038-Nasheed	SB 1055-Riddle
SB 1039-Silvey	SB 1056-Riddle
SB 1040-Kraus	SB 1057-Schaaf
SB 1041-Schatz and Schaaf	SB 1058-Schaaf
SB 1042-Holsman	SB 1059-Schaaf
SB 1043-Wieland	SB 1060-Dixon
SB 1044-Wasson	SB 1061-Dixon
SB 1045-Schaefer	SJR 38-Schaefer

## HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1681-Haahr
HCS for HB 1562	HCS for HJR 54
HCS for HB 1658	HB 1795-Haefner
HB 1594-Crawford	HB 1568-Lynch
HB 1619-McCaherty	HB 1576-Higdon
HB 1478-Entlicher	HB 1577-Higdon
HB 1668-Gosen	HCS for HB 1862
HB 1733-Davis	HB 1763-Gosen
HB 1563-Gosen	HB 1708-Solon
HB 1837-Fitzwater	HB 1472-Dugger

HCS for HB 2140  
HB 1582-Kelley  
HB 2104-Alferman  
HB 1435-Koenig

HB 1593-Crawford  
HB 1479-Entlicher  
HCS for HB 1584

### THIRD READING OF SENATE BILLS

SS for SB 608-Sater (In Fiscal Oversight)  
SB 607-Sater

SB 581-Schaaf  
SS for SB 621-Romine

### SENATE BILLS FOR PERFECTION

1. SB 704-Munzlinger, with SCS  
2. SB 838-Silvey, et al, with SCS  
3. SB 783-Onder  
4. SB 640-Schatz  
5. SB 656-Munzlinger  
6. SB 732-Munzlinger  
7. SB 641-Schatz  
8. SB 706-Dixon  
9. SB 794-Wallingford, with SCS  
10. SB 799-Kraus  
11. SB 875-Schaefer  
12. SB 573-Schmitt  
13. SB 919-Schmitt, with SCS

14. SB 879-Brown  
15. SB 665-Parson  
16. SB 835-Wasson  
17. SBs 865 & 866-Sater, with SCS  
18. SB 700-Schatz  
19. SB 823-Kraus, with SCS  
20. SB 814-Wallingford, et al, with SCS  
21. SB 612-Cunningham  
22. SBs 688 & 854-Romine, with SCS  
23. SB 802-Sater  
24. SB 804-Onder, with SCS  
25. SB 623-Libla

### HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)  
HB 1979-Rowden, with SCS (Onder)  
HB 2166-Alferman, with SCS (Onder)

HB 1983-Dogan, with SCS (Munzlinger)  
HB 2203-Barnes, with SCS (Kehoe)  
HB 2226-Barnes (Silvey)

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

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

SB 619-Wallingford  
SB 644-Onder, with SCS

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

RESOLUTIONS

To be Referred

SR 1449-Schaefer

HCR 63-Taylor

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