

# Journal of the Senate

SECOND REGULAR SESSION

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SEVENTIETH DAY—FRIDAY, MAY 13, 2016

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...Well done, good and faithful servant.” (Matthew 25:23)

Wondrous God, the hours are numbered and there is much yet to do. So we pray that You will be with us as the final bills are perfected and we shall know that with Your guidance we have done what You expected of us. We give You special thanks for those senators who will be leaving us, for their talents and time and themselves. May You be with them as they undertake new adventures and opportunities to serve You in new venues. And bless us as we return to loved ones having time for them and the joy it brings us. 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, St. Louis Public Radio, MissouriNet, The Daily Star-Journal, Missouri Digital News, The Post Dispatch, KOMU-TV and KTVI-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	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.

The Senate observed a moment of silence for Richard Prescott Sifton, Sr.

### RESOLUTIONS

Senator Schupp offered Senate Resolution No. 2237, regarding George Adam Chase, Ballwin, which was adopted.

Senator Pearce offered Senate Resolution No. 2238, regarding Kyler Cliffman, Nevada, which was adopted.

Senator Cunningham offered Senate Resolution No. 2239, regarding Brent Kell, Houston, which was adopted.

Senator Cunningham offered Senate Resolution No. 2240, regarding Tom Cline, Pontiac, which was adopted.

Senator Romine offered Senate Resolution No. 2241, regarding Kathleen Marie Roubidoux, Festus, which was adopted.

Senator Onder offered Senate Resolution No. 2242, regarding Kelcie Dees, which was adopted.

Senator Dixon offered Senate Resolution No. 2243, regarding Reverend Dr. Edward L. Alexander, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 12:30 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

### 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 adopted the Conference Committee Report on **HCS** for **SB 635**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 635**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HB 1941** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1941**.

### PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 656**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 656

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 656, with House Amendments Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5 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 Bill No. 656, as amended;
2. That the Senate recede from its position on Senate Bill No. 656;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ Bob Onder

/s/ Jeanie Riddle

Jill Schupp

Jamilah Nasheed

FOR THE HOUSE:

/s/ Eric Burlison

/s/ Robert Ross

/s/ Jered Taylor (139th)

Judy Morgan

Stacey Newman

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

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

On motion of Senator Munzlinger, **CCS** for **HCS** for **SB 656**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 656

An Act to repeal sections 50.535, 563.031, 571.030, 571.101 571.104, 571.111, and 571.126, RSMo,

and to enact in lieu thereof fourteen new sections relating to weapons, with penalty provisions, an emergency clause for a certain section, and an effective date for a certain section.

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

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

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	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

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.

Bill ordered enrolled.

Senator Schmitt assumed the Chair.

Senator Keaveny assumed the Chair.

**HOUSE BILLS ON THIRD READING**

Senator Dixon moved that **HCS** for **HB 2332**, with **SCS**, **SS** for **SCS**, **SA 1** 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 Schaefer, **SA 1** was withdrawn, rendering the point of order moot.

**SS** for **SCS** for **HCS** for **HB 2332** was again taken up.

At the request of Senator Dixon, **SS** for **SCS** for **HCS** for **HB 2332** was withdrawn.

Senator Dixon offered **SS No. 2** for **SCS** for **HCS** for **HB 2332**, entitled:

SENATE SUBSTITUTE NO. 2 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 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first 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-two 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.

Senator Dixon moved that **SS No. 2** for **SCS** for **HCS** for **HB 2332** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 2332, Pages 51-59, Section 571.030, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

Senator Dixon moved that **SS No. 2** for **SCS** for **HCS** for **HB 2332**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **HCS** for **HB 2332**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wieland—25			

## NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kraus	Schaaf	Wasson—7
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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	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

## NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

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

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

**HB 1534**, introduced by Representative Flanigan, with **SCS**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

Was taken up by Senator Schaefer.

**SCS** for **HB 1534**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1534

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

Was taken up.

Senator Schaefer moved that **SCS** for **HB 1534** be adopted, which motion failed.

On motion of Senator Schaefer, **HB 1534** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Wieland—29

NAYS—Senators—None

Absent—Senators

Dixon                      Riddle                      Wasson—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

President Pro Tem Richard assumed the Chair.

**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 adopted **SCS** for **HB 2335** and has taken up and passed **SCS** for **HB 2335**.

Also,

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

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **SS#2** for **SCS** for **HCS** for **HB 1432** and has taken up and passed **SS#2** for **SCS** for **HCS** for **HB 1432**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HB 2194** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2194**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2379** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2379**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HB 1816** and has taken up and passed **SS** for **SCS** for **HB 1816**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HB 2029** and has taken up and passed **SS** for **HCS** for **HB 2029**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HBs 1434 & 1600** and has taken up and passed **SCS** for **HCS** for **HBs 1434 & 1600**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS#2** for **HCS** for **HB 1717** and has taken up and passed **SS#2** for **HCS** for **HB 1717**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 2591**, **HB 1958** and **HB 2369** and has taken up and passed **SCS** for **HB 2591**, **HB 1958** and **HB 2369**.

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 **SCR 43**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1649** and has taken up and passed **SCS** for **HCS** for **HB 1649**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has



taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2380** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2380**, as amended.

Also,

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

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HB 1765** and has taken up and passed **SS** for **HCS** for **HB 1765**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 1561** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1561**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HCR 73** and has taken up and passed **SS** for **HCS** for **HCR 73**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2376** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2376**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 2453** and has taken up and passed **SCS** for **HCS** for **HB 2453**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1851** and has taken up and passed **SCS** for **HB 1851**.

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 968**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 765**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 765**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 988**, as amended, and has taken up and passed **CCS** for **SB 988**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 973**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 973**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 994**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 994**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 833**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 833**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 735**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 735**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 997**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 997**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted the Conference Committee Report #2 on **HCS** for **SS** for **SB 608**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SS** for **SB 608**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 947**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 1025**.

Bill ordered enrolled.

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 794**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS#2** for **SCS** for **HCS** for **HB 2332**, as amended, and has taken up and passed **SS#2** for **SCS** for **HCS** for **HB 2332**, as amended.

Emergency clause adopted.

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 613**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 656**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 656**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 42**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 50**.

Concurrent resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 986**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 986**.

Emergency clause adopted.

Bill ordered enrolled.

### **RESOLUTIONS**

Senator Libla offered Senate Resolution No. 2244, regarding Ed Lewis, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 2245, regarding the Rotary Club, Poplar Bluff, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Jerry D. Kennett, Columbia.

On motion of Senator Kehoe, the Senate adjourned until 1:30 p.m., Wednesday, May 25, 2016.

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