

Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—MONDAY, FEBRUARY 1, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The fear of the Lord is the beginning of knowledge; fools despise wisdom and instruction. (Proverbs 1:7)

O God of refreshing love, sustain this assembled body and renew our efforts with a sense of purpose and passion in seeking Your teachings. Help us to know the path to walk this day and the energy to do what is required. May our work this week reflect Your instruction and be helpful to one another. 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, January 28, 2016 was read.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Thursday, January 28, 2016, Page 198, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following:

“Michael L. Franks, Democrat; and Anita Y. Oplotnik, Democrat, as members of the Missouri Southern State University Board of Regents;

Also,

Gabriel Gore, Democrat, as a member of the Missouri State University Board of Governors;” which request was granted.

The Journal for Thursday, January 28, 2016 was approved as corrected.

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 Brown requested unanimous consent of the Senate to correct the Committee on Veterans' Affairs and Health report on **SB 875**, by submitting a corrected report, which request was granted.

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 875**, begs leave to report that it has considered the same and recommends that the bill do pass.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1342, regarding Jim Hall, which was adopted.

Senator Schmitt offered Senate Resolution No. 1343, regarding David and Marianne Burlis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1344, regarding Kirk Hutchison, which was adopted.

Senator Schmitt offered Senate Resolution No. 1345, regarding Mary Hanson, which was adopted.

Senator Schmitt offered Senate Resolution No. 1346, regarding Tom Openlander, which was adopted.

Senator Wallingford offered Senate Resolution No. 1347, regarding Dennis Vollink, which was adopted.

Senator Riddle offered Senate Resolution No. 1348, regarding the American Heart Association Midwest Affiliate, which was adopted.

Senator Pearce offered Senate Resolution No. 1349, regarding Arrow Rock Lyceum Theatre, which was adopted.

Senator Kehoe offered Senate Resolution No. 1350, regarding the 2015 Class 3 State Champion Fatima High School baseball program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1351, regarding the 2015 Class 2 State Champion Fatima High School girls cross country program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1352, regarding Eagle Scout Max Renfrow, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1353, regarding Eagle Scout David John Segall, Lohman, which was adopted.

Senator Kehoe offered Senate Resolution No. 1354, regarding Eagle Scout William Holloway, Jefferson City, which was adopted.

Senator Parson offered Senate Resolution No. 1355, regarding Tanner Koenig, Flemington, which was adopted.

Senator Kraus offered Senate Resolution No. 1356, regarding Evon Jones, Lee's Summit, which was adopted.

Senator Cunningham offered Senate Resolution No. 1357, regarding Clay Smith, Mansfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 1358, regarding Hunter Corman, Pomona, which was adopted.

Senator Sifton offered Senate Resolution No. 1359, regarding the First Congregational Church (United Church of Christ), Webster Groves, which was adopted.

Senator Schaaf offered Senate Resolution No. 1360, regarding Maggie Voisard, Faucett, which was adopted.

Senator Hegeman offered Senate Resolution No. 1361, regarding Adam Kirby, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1362, regarding Hadley Williams, Milan, which was adopted.

Senator Schaefer offered Senate Resolution No. 1363, regarding Alex Stichnote, Ashland, which was adopted.

Senator Riddle offered Senate Resolution No. 1364, regarding Brandelyn Martin, Silex, which was adopted.

Senator Pearce offered Senate Resolution No. 1365, regarding Austin Boland, Sweet Springs, which was adopted.

Senator Pearce offered Senate Resolution No. 1366, regarding Rylee Streit, Holden, which was adopted.

Senator Kehoe offered Senate Resolution No. 1367, regarding Jacob Hoellering, California, which was adopted.

Senator Sater offered Senate Resolution No. 1368, regarding Ty Whittaker, Miller, which was adopted.

Senator Richard offered Senate Resolution No. 1369, regarding Marua Butler, Seneca, which was adopted.

Senator Schatz offered Senate Resolution No. 1370, regarding Braxton Hoemann, Washington, which was adopted.

Senator Libla offered Senate Resolution No. 1371, regarding Alexa Nordwald, East Prairie, which was adopted.

Senator Wallingford offered Senate Resolution No. 1372, regarding Morgan Taylor, Greenville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 62

Whereas, under Article IV, Section 3, of the United States Constitution, “The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States”; and

Whereas, the Constitutional Convention intended this provision of the Constitution to maintain the status quo that had been established to transfer federal territorial lands only to create new states with the same rights of sovereignty, freedom, and independence as the original states; and

Whereas, under these express terms of trust, over time the states claiming federal territorial land ceded their western land to the confederated Union to allow the confederated government to dispose of the lands only to create new states and apply the net proceeds of any sales of the lands only to pay down the public debt; and

Whereas, the United States Constitution contains no expression of intent to authorize the federal government to indefinitely exercise control over western public lands beyond the duty to manage the lands pending the disposal of the lands to create new states, and therefore the lands should be returned to the western states; and

Whereas, in order to promote legitimate federal interests, the western states should upon transfer of the public lands directly to the state where the public land is located agree to affirmatively cede lands for the national park system, the national wilderness preservation system, and lands reserved for federal military use, military parks, and military reservations to the federal government under Article I, Section 8, Clause 17, of the United States Constitution, on condition that the lands permanently remain national park lands, and that they not be sold, transferred, left in substantial disrepair, or conveyed to any party other than to the state where the land is located; and

Whereas, limiting the ability of western states to access and utilize the public lands’ natural resources within their borders is having a negative impact upon the economy of the western states and therefore the economy of the entire United States:

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, in order to provide a fair, just, and equitable remedy for the federal government’s past and continuing breaches of its solemn promises to the western states:

(1) Calls upon the federal government to transfer title to all federal public lands within the western states to the state where the land is located;

(2) Urges the United States Congress to engage in good faith communication, cooperation, and consultation with the western states to coordinate the transfer of the public lands, and supports the western states in these efforts;

(3) Calls upon the western states to agree, upon transfer of the public lands, to affirmatively cede to the federal government all lands currently designated as part of the National Park System under 16 U.S.C. Section 1a-1, the National Wilderness Preservation System under 16 U.S.C. Section 1131, or for military use, military parks, or military reservations;

(4) Urges that if any public land in the western states be sold to private owners, 95% of the net proceeds be paid to the Bureau of the Public Debt to pay down the federal debt; and

(5) Calls upon all other states of the United States to pass a similar resolution in support of the transfer of the federal public lands to the western states; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senators Curls and Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 63

Whereas, a sustainable agricultural system in the United States is critical to the continued production of food, feed, and fiber to meet both domestic and global demands; and

Whereas, the treatment, prevention, and control of agricultural pests is critically important to the health and welfare of our residents and the safety of our global food, feed, and fiber supply; and

Whereas, the availability of modern agricultural technologies such as precision farming equipment, crop protection chemistries, genetically engineered or enhanced traits, and agricultural nutrients are critically important tools that allow farmers to expand yields, reduce environmental impacts, improve profitability and provide a safe, healthy, abundant, and affordable food supply; and

Whereas, the agriculture and food production industries have a long history of success and safety in protecting and further enhancing the food, feed, and fiber supply of Missouri residents and the world; and

Whereas, the agriculture industry is recognized as an important contributor to the economic vitality of the state of Missouri through jobs, capital investment, farm income, value added sectors, and contributions to the state’s tax base; and

Whereas, the crop protection industry is among the most studied and regulated of all industries at both the state and federal levels; and

Whereas, the continued success of these industries and our nation’s position as a world leader in crop protection chemistries, genetically engineered or enhanced traits and nutrients depends on state and federal regulators utilizing science based data to assess both product and ingredient safety; and

Whereas, sound science rather than the “precautionary principle” should be the bedrock of our nation’s regulatory scheme:

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 strongly urges the Missouri Congressional delegation to support the use of science based data to assess the impacts and the regulation of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and

Be It Further Resolved that the Missouri General Assembly strongly urges the Missouri Congressional delegation to oppose legislative or regulatory action that may result in unnecessary restrictions on the use of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients that are not based on sound science; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri’s Congressional delegation.

INTRODUCTION OF BILLS

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

SB 996—By Pearce, Curls and Holsman.

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to distribution of state school aid for charter schools.

SB 997—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto five new sections relating to higher education.

SB 998—By Romine.

An Act to repeal section 161.095, RSMo, and to enact in lieu thereof one new section relating to high school equivalency degree testing.

SB 999—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to dental insurance.

SB 1000—By Wallingford.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to taxation of out-of-state income.

SB 1001—By Wallingford.

An Act to repeal section 375.001, RSMo, and to enact in lieu thereof two new sections relating to insurance policy events.

SB 1002—By Hegeman.

An Act to repeal section 67.1471, RSMo, and to enact in lieu thereof one new section relating to community improvement districts.

SB 1003—By Onder.

An Act to repeal section 71.675, RSMo, and to enact in lieu thereof one new section relating to the prohibition on political subdivisions from participating in any federal court action to collect taxes.

SB 1004—By Onder.

An Act to amend supreme court rule 52.08, for the purposes of prohibiting political subdivisions from participating in certain class actions.

SB 1005—By Walsh.

An Act to repeal section 174.335, RSMo, and to enact in lieu thereof one new section relating to meningococcal disease.

SB 1006—By Munzlinger.

An Act to repeal sections 217.670 and 217.690, RSMo, and to enact in lieu thereof two new sections relating to videoconferencing at hearings before the board of probation and parole.

SB 1007—By Munzlinger.

An Act to repeal sections 49.082, 50.327, 50.333, 51.281, 52.269, 53.082, 54.261, 54.320, 55.091, 57.317, 58.095, and 473.742, RSMo, and to enact in lieu thereof twelve new sections relating to compensation of county officers.

SB 1008—By Munzlinger.

An Act to amend chapter 142, RSMo, by adding thereto one new section relating to the Missouri qualified solid biomass fuel producer incentive fund.

SB 1009—By Riddle.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of “Trooper James Matthew Bava Memorial Highway”.

SB 1010—By Curls.

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table program.

SB 1011—By Cunningham and Romine.

An Act to require the conveyance of certain state properties, with an emergency clause.

REFERRALS

On behalf of President Pro Tem Richard, Senator Kehoe referred **SCR 60** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 61—Rules, Joint Rules, Resolutions and Ethics.

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 1473**, entitled:

An Act to repeal section, 110.140 RSMo, and to enact in lieu thereof one new section relating to county

funds depository bidding.

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 2203**, entitled:

An Act to repeal section 130.034, RSMo, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof two new sections relating solely to investment of campaign funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Romine assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 580**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 580**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 580

An Act to repeal section 67.657, RSMo, and to enact in lieu thereof one new section relating to bonds issued by the Regional Convention and Sports Complex Authority, with an emergency clause.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 580** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 580, Page 1, In the Title, Line 3, by striking said line and inserting in lieu thereof the following: “to bonds issued by certain sports complex authorities,”; and

Further amend said bill and page, Section A, line 2, by inserting after all of said line the following:

“64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the

authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which rents, revenues, receipts and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the

authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of Congress.

2. The authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments.

3. Any expenditure made by the authority located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, that is over twenty-five thousand dollars, including professional service contracts, must be competitively bid.

4. Nothing in this section shall be construed to provide authority for the extension of existing bonds where existing principal will be increased or any additional bonding authority to the executive branch without legislative or voter approval. The state shall not enter into any agreement with an authority obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend said bill, page 5, Section 67.657, line 157, by inserting after all of said line the following:

“70.851. 1. The state and any participating counties and cities may participate in a qualifying project pursuant to a contract, agreement, lease or sublease with any county, city, political subdivision, public authority or public entity or otherwise as provided by law owning or operating the qualifying project for a term not to exceed the term of any bond or other indebtedness issued to fund construction of the project or for thirty-five years, whichever is less. Such contract, agreement, lease or sublease shall provide that the state and any participating counties and cities as applicable, shall pay rent or other fees or charges, subject to annual appropriation, in an amount equal to the total obligations of the owner or operator of the project in connection with the financing and preservation thereof. The amount paid by each shall not exceed its new net public fiscal benefit hereinafter defined in section 70.853. The proportionate share of such rent, fees or charges paid by the state shall not exceed fifty percent of such obligations and the balance of such obligations shall be divided equally between or among the participating counties and cities; provided, however, that if a participating county or city shall not pay all of its share because its new net public fiscal benefit is less than its share of the payments, the proportionate share paid by the state shall increase to not more than sixty percent of such obligations to offset such difference. The obligations of the owner or operator of the project in connection with the preservation thereof to be used in the calculation of the rent, fees or charges to be paid pursuant to such contract, agreement, lease or sublease shall be those obligations set forth in the documents executed in connection with and necessary to secure the financing of the project and shall be limited in each fiscal year of the state to two percent of the total project cost. Any such contract, agreement, lease or sublease entered into with respect to a qualifying project shall contain for each fiscal year of the project, a limit, expressed in dollars, on the amount of rents, fees or charges payable by each of the state and any participating county or city. It may further provide that the owner of the project and the state and such participating counties and cities, or any combination thereof, will mortgage, pledge, assign, convey or grant security in any interest which they may have in such project. Any such rent, fees or charges shall be paid in accordance with the procedure established in section 70.856 and in any such contract, agreement, lease or sublease.

2. In the event any rent, fees or charges provided for in a contract, agreement, lease or sublease described in subsection 1 of this section are insufficient to discharge the obligations of the owner or operator of a qualifying project in connection with the financing and maintenance of such project, the user, tenant or lessee that secured a letter of credit, policy of insurance or guaranty securing payment of any bonds or other indebtedness issued to fund construction of the project shall deposit such shortfall with the owner or operator of the project at such time or times as are necessary to discharge such obligations.

3. The state and any participating counties or cities that choose to participate in any qualifying project shall enter into a contract, agreement, lease or sublease for such purpose, which shall be executed by the chief executive or administrative officer of the state and approved by the board of public buildings, and shall be executed by the chief executive or administrative officer of the county or city and approved by the adoption of a resolution or ordinance by the governing body of each county and city.

4. The state shall not enter into any contract, agreement, lease, or sublease under this section obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Nasheed requested a roll call vote be taken and was joined in her request by Senators Keaveny,

Hegeman, Wallingford and Silvey.

SA 1 was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Onder—1

Absent with leave—Senators—None

Vacancies—2

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 580, Page 1, In the Title, Lines 3-4, by striking said lines and inserting in lieu thereof the following:

“to bonds issued by political subdivisions, with an emergency clause.”

Further amend said bill, page 5, Section 67.657, line 157 by inserting immediately after said line the following:

“67.1155. **1.** The authority shall have the following powers:

(1) To acquire property by gift, bequest, purchase, or lease from public or private sources, and to plan, construct, operate, maintain, or lease to others for construction, operation and maintenance, any convention, visitor and sports facility, any parking facility and other suitable concessions, and all other incidental facilities suitable for all types of convention, visitor and sports activities;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, and to sue and to be sued and to adopt bylaws for the regulation of its affairs and the conduct of its business;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state, or other political subdivisions or agencies or by the federal government or any agency or officer thereof, or from any other source;

(5) To disburse funds for its lawful activities and fix the salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as follows:

(a) Bonds or notes issued under the authority of this section shall be issued pursuant to a resolution adopted by the commissioners of the authority, which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution;

(b) Such bonds or notes shall bear interest at such rates as determined by the authority and shall mature within a period not exceeding thirty years, and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state;

(c) Such bonds or notes may be payable to the bearer, may be registered or coupon bonds or notes and, if payable to the bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same. The resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing such bonds. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost;

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, and revenues from the tax authorized to be levied under section 67.1158. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation other than the tax authorized by section 67.1158. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income referred to in sections 67.1150 to 67.1158, or any part of such rents, revenues, receipts, and income, or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust;

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes, and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued;

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof, into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes;

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded;

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject to the provisions of chapter 523. No property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivision shall be taken by the authority without the express authority or consent of such political subdivision.

2. Nothing in this section shall be construed to provide authority for the extension of existing bonds where existing principal will be increased or any additional bonding authority to the authority without legislative or voter approval. The state shall not enter into any agreement with the authority obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 2** amends previously amended material.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **SB 580**, with **SCS**, **SA 2** and the point of order (pending), on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Russel McCorkle, Max Walters, Kenny Owen and Jeff Hull, Barton County Electric Cooperative.

Senator Curls introduced to the Senate, Ida Campbell-Jones and Amanda Roberts, University of Missouri-Columbia.

Senator Pearce introduced to the Senate, Larry Isaac and Pam Schutt, Midwestern Higher Education Compact, Minneapolis, MN.

Senator Libla introduced to the Senate, Teresa Johnson, Poplar Bluff; Ann Matthews, Malden; Maura Kellams, Portageville and Misty Love-Lopez, Redford, Three Rivers College.

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

SENATE CALENDAR

 FIFTEENTH DAY—TUESDAY, FEBRUARY 2, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 991-Onder, et al	SB 1002-Hegeman
SB 992-Brown	SB 1003-Onder
SB 993-Curls	SB 1004-Onder
SB 994-Munzlinger	SB 1005-Walsh
SB 995-Riddle	SB 1006-Munzlinger
SB 996-Pearce, et al	SB 1007-Munzlinger
SB 997-Pearce	SB 1008-Munzlinger
SB 998-Romine	SB 1009-Riddle
SB 999-Wallingford	SB 1010-Curls
SB 1000-Wallingford	SB 1011-Cunningham and Romine
SB 1001-Wallingford	

HOUSE BILLS ON SECOND READING

HB 1870-Hoskins	HB 1473-Dugger
HB 2226-Barnes	HB 2203-Barnes

THIRD READING OF SENATE BILLS

SCS for SB 765-Schmitt and Nasheed

SENATE BILLS FOR PERFECTION

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|-----------------------------------|---------------------------------|
| 1. SB 655-Munzlinger | 9. SB 711-Brown |
| 2. SB 657-Munzlinger, with SCS | 10. SB 816-Wieland, et al |
| 3. SJR 19-Munzlinger, with SCS | 11. SB 639-Riddle |
| 4. SB 578-Keaveny, with SCS | 12. SB 825-Munzlinger |
| 5. SB 579-Schaaf, et al | 13. SB 664-Parson |
| 6. SB 635-Hegeman | 14. SB 703-Munzlinger, with SCS |
| 7. SB 677-Sater | 15. SB 847-Emery and Richard |
| 8. SBs 620 & 582-Romine, with SCS | 16. SB 608-Sater |

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|---------------------------------------|----------------------------------|
| 17. SB 621-Romine | 26. SB 640-Schatz |
| 18. SB 581-Schaaf | 27. SB 656-Munzlinger |
| 19. SB 607-Sater | 28. SB 732-Munzlinger |
| 20. SB 619-Wallingford | 29. SB 641-Schatz |
| 21. SB 644-Onder, with SCS | 30. SB 706-Dixon |
| 22. SB 682-Cunningham and Romine | 31. SB 794-Wallingford, with SCS |
| 23. SB 704-Munzlinger, with SCS | 32. SB 799-Kraus |
| 24. SB 838-Silvey and Walsh, with SCS | 33. SB 875-Schaefer |
| 25. SB 783-Onder | |

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)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 665-Parson
SB 660-Wasson

SB 887-Walsh
SB 818-Schatz and Riddle, with SCS

RESOLUTIONS

To be Referred

SCR 62-Emery

SCR 63-Curls and Munzlinger

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