

Journal of the Senate

FIRST REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 23, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let me abide in Your tent forever, find refuge under the shelter of Your wings.” (Psalm 61:4)

We are thankful for Your abiding presence and bringing us safely here to do the work You have for us to do. We are thankful for time this day to work and enjoy recreational time together that strengthens relationships and bonds of friendship and serving together. And we pray that we may know comfort in knowing You and what You require of 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 for Thursday, January 19, 2017, was read and approved.

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 86, regarding Drew Carey's middle-school classes at Scuola Vita Nuova, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 87, regarding Sharon Ford-Parker's sixth-grade class at Dobbs Elementary School, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 88, regarding Major Gregory D. Kindle, Jefferson City, which was adopted.

Senator Wallingford offered Senate Resolution No. 89, regarding Jerry Ford, Cape Girardeau, which was adopted.

Senator Richard offered Senate Resolution No. 90, regarding Eagle Scout Quinn J. Lasley, which was adopted.

Senator Holsman offered Senate Resolution No. 91, regarding Sarah Holmes' seventh-grade class at Barstow School, Kansas City, which was adopted.

Senator Wallingford offered Senate Resolution No. 92, regarding Dick and Evelyn Belger, Kansas City, which was adopted.

Senator Wallingford offered Senate Resolution No. 93, regarding Bennett Family Dentistry, which was adopted.

Senator Wallingford offered Senate Resolution No. 94, regarding Begley, Young, Unterreiner & White, LLC, which was adopted.

Senator Wallingford offered Senate Resolution No. 95, regarding Brenda Newbern, Cape Girardeau, which was adopted.

Senator Walsh offered Senate Resolution No. 96, regarding Michael Mahaffy, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 97, regarding Claudia Pennington, O'Fallon, which was adopted.

Senator Walsh offered Senate Resolution No. 98, regarding Thomas Reinbold, O'Fallon, which was adopted.

Senator Walsh offered Senate Resolution No. 99, regarding Gary R. Gaydos, Florissant, which was adopted.

Senator Sater offered Senate Resolution No. 100, regarding the Ninetieth birthday of Vera Elizabeth Clark Rogers, which was adopted.

Senator Sater offered Senate Resolution No. 101, regarding the Sixtieth Wedding Anniversary of Jim and Bertha Bush, Nevada, which was adopted.

Senator Hoskins offered Senate Resolution No. 102, regarding West-Central Independent Living Solutions, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 103, regarding Eagle Scout Ryan James Helmig, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 104, regarding Eagle Scout Nathan Sheehan, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 105, regarding Village of Arrow Rock, which was adopted.

INTRODUCTION OF BILLS

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

SB 323—By Brown.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

SB 324—By Silvey.

An Act to repeal section 306.220, RSMo, and to enact in lieu thereof one new section relating to personal flotation devices, with penalty provisions.

SB 325—By Kraus.

An Act to repeal section 144.026, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions.

SB 326—By Kraus.

An Act to repeal sections 347.015 and 347.020, RSMo, and to enact in lieu thereof three new sections relating to low-profit limited liability companies.

SB 327—By Romine.

An Act to repeal sections 161.670 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to course access in education, with an effective date.

SB 328—By Romine.

An Act to repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

SB 329—By Kehoe.

An Act to repeal sections 407.825 and 407.826, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle franchise practices.

SB 330—By Munzlinger.

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to liability under workers' compensation laws.

SB 331—By Hegeman.

An Act to repeal sections 578.018 and 578.030, RSMo, and to enact in lieu thereof two new sections relating to confiscation of animals, with penalty provisions.

SB 332—By Hegeman.

An Act to repeal section 139.100, RSMo, and to enact in lieu thereof one new section relating to the timeliness of tax payments made by postal mail.

SB 333—By Schaaf.

An Act to repeal section 104.1091, RSMo, and to enact in lieu thereof one new section relating to retirement benefits for certain state employees.

SB 334—By Sater.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to influenza education.

SB 335—By Hoskins.

An Act to repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

REFERRALS

President Pro Tem Richard referred **SCR 9** and **SCR 10** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 269** to the Committee on Professional Registration.

The Senate observed a moment of silence in memory of Kansas City pitcher, the late Yordano Ventura.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19** be taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 19**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 19

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Senator Brown moved that **SS** for **SB 19** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 19, Page 3, Section 290.590, Line 15, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2018, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”; and

Further amend the title accordingly.

Senator Holsman moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Rizzo, Hummel, Sifton and Schupp.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 19, Page 2, Section 290.590, Lines 20-25 by striking said lines.

Senator Walsh moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Brown, **SB 19**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Kehoe moved that **SR 85** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **SR 85** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

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 **HCR 4**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 4

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article XIII, Section 3 of the Missouri Constitution charges the Missouri Citizens' Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

WHEREAS, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has recommended that the compensation for statewide elected officials be increased by eight percent over fiscal years 2018 and 2019, representing a total additional cost to the state of Missouri for the recommended salary adjustments of \$54,884 in 2018 to \$57,023 in 2019; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has also recommended that the compensation for members of the General Assembly be increased by two and one-half percent for the next two years, representing a total additional cost to the state of Missouri for the recommended salary adjustments of \$176,881 in 2018 to \$181,303 in 2019; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended that daily expense compensation for members of the General Assembly be \$150 per day of service; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended the salary for judges to continue to be calculated under the formula currently in place over fiscal years 2018 and 2019; and

WHEREAS, the state has many other priorities for appropriating money in the budget that are far more important than the salary increases recommended by the commission; and

WHEREAS, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2017:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby disapprove the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials contained in its report of December 2016; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

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 Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 2**. Representatives: McGaugh, Cornejo, Pike, Corlew, Schroer, Ellebracht, Roberts, Unsicker, Walker (74), and Meredith.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Ethan G. Scherer, Columbia.

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

SENATE CALENDAR

ELEVENTH DAY—TUESDAY, JANUARY 24, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden	SB 333-Schaaf
SB 317-Sater	SB 334-Sater
SB 318-Sifton and Hummel	SB 335-Hoskins
SB 319-Hummel	SJR 1-Schaaf
SB 320-Hummel	SJR 2-Schaaf
SB 321-Hegeman	SJR 3-Schaaf
SB 322-Wieland and Romine	SJR 4-Chappelle-Nadal
SB 323-Brown	SJR 5-Emery
SB 324-Silvey	SJR 6-Emery
SB 325-Kraus	SJR 7-Silvey
SB 326-Kraus	SJR 8-Romine
SB 327-Romine	SJR 9-Romine
SB 328-Romine	SJR 10-Holsman
SB 329-Kehoe	SJR 11-Hegeman
SB 330-Munzlinger	SJR 12-Eigel
SB 331-Hegeman	SJR 13-Emery
SB 332-Hegeman	SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman

HCS for HBs 91, 42, 131, 265 & 314

SENATE BILLS FOR PERFECTION

SB 21-Brown

SB 31-Emery

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 19-Brown, with SS & SA 2 (pending)

RESOLUTIONS

To be Referred

HCR 4-Bernskoetter

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