

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 15, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will sing of your steadfast love, O Lord forever; with my mouth I will proclaim your faithfulness to all generations.” (Psalm 89:1)

God of all generations You have promised us Your steadfast love and have shown Your faithfulness toward us. You provide through others the experience of love that will never let us go. You open our hearts to the richness of Your grace and require us to share and witness such love with others whom You put in our lives. Such love and caring is wonderful to embrace and for which we give You thanks. 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.

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—Senator—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 266, regarding Robert Charles “Bob” Cox, Fenton, which was adopted.

Senator Koenig offered Senate Resolution No. 267, regarding Jack O’neill Beverlin, Ellisville, which was adopted.

Senator Brown offered Senate Resolution No. 268, regarding Paula Volkmer, Rolla, which was adopted.

Senator Curls offered Senate Resolution No. 269, regarding the Fiftieth Birthday of Andre Lazar Davis, Lenexa, Kansas, which was adopted.

Senator Kraus offered the following resolution:

SENATE RESOLUTION NO. 270

Whereas, federal identification standards pose a grave threat to the full faith and credit guaranteed to each of the several States in Article IV, Section 1 of the United States Constitution; and

Whereas, the tenth amendment to the United States Constitution reserves for the States or people all rights not delegated to the federal government; and

Whereas, the Constitution of the United States does not delegate authority to the federal government to create identification standards, nor to condition the full faith and credit owed to a State's acts, records, and proceedings; and

Whereas, identification documents have traditionally and historically been the province of the several States; and

Whereas, the REAL ID Act increases the administrative burden on the States, and will result in increased expense for license and identification card applicants, as well as extended waiting and processing times; and

Whereas, history has shown that all governments, even our own, present a hazard of overreach and tyranny; and

Whereas, in 2009, the Missouri General Assembly passed legislation, signed by Governor Nixon, expressly forbidding the state from cooperating with the REAL ID Act; and

Whereas, in 2013, the Missouri General Assembly passed legislation, signed by Governor Nixon, clearly prohibiting the Department of Revenue from retaining source documents as required by the REAL ID Act; and

Whereas, in 2014, the people of Missouri passed Amendment 9 to ensure their personal privacy is not violated by our government; and

Whereas, the people of Missouri have made it abundantly clear that they value their privacy and refuse to sacrifice it under the guise of security; and

Whereas, implementation of the REAL ID Act will put in place a system that would further enable a surveillance state; and

Whereas, federal identification standards pose a profound threat to the unencumbered exercise of the constitutional rights forming the bedrock of ordered liberty and a free society; and

Whereas, the brave men and women of our armed forces put their lives on the line, and sometimes make the ultimate sacrifice, to defend the very freedom and liberty the REAL ID Act asks our nation to so recklessly abandon:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby urge that the United States Congress repeal the REAL ID Act of 2005; and

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

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, twenty-eight million United States citizens have cognitive disabilities such as intellectual disability; severe, persistent mental illness; brain injury; stroke; and neurodegenerative disorders such as Alzheimer’s disease; and

Whereas, people with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans

with Disabilities Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and under state and local laws; and

Whereas, the disruptive convergence of computing and communication technologies has substantially altered how people acquire, utilize, and disseminate knowledge and information; and

Whereas, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for people with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation, and civic participation; and

Whereas, the vast majority of people with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

Whereas, people with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

Whereas, technology and information access by people with cognitive disabilities must be guided by standards and best-practices, such as personalization and compatibility across devices and platforms, and through the application of innovations including automated and predictive technologies; and

Whereas, security and privacy must be assured and managed to protect civil rights and personal dignity of people with cognitive disabilities; and

Whereas, enhanced public and private funding is urgently required to allow people with cognitive disabilities to utilize technology and access information as a natural consequence of their rights to inclusion in our society; and

Whereas, ensuring access to technology and information for the 28 million people with cognitive disabilities in the United States will create new markets and employment opportunities; decrease dependency on public services; reduce health care costs; and improve the independence, productivity, and quality of life of people with cognitive disabilities:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge a commitment to equal rights for people with cognitive disabilities to technology and information access and call for implementation of such rights with deliberate speed.

INTRODUCTION OF BILLS

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

SB 423—By Sater.

An Act to repeal section 208.798, RSMo, relating to the termination date of the MO Rx prescription drug program.

SB 424—By Holsman.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to motorcycle profiling.

SB 425—By Sifton.

An Act to repeal section 253.550, RSMo, and to enact in lieu thereof one new section relating to tax credits for the rehabilitation of historic structures.

SB 426—By Wasson.

An Act to repeal section 135.963, RSMo, and to enact in lieu thereof one new section relating to enhanced enterprise zones.

SB 427—By Wasson.

An Act to repeal sections 375.1025, 375.1052, 375.1053, and 375.1056, RSMo, and to enact in lieu thereof five new sections relating to internal audit requirements for insurers.

SB 428—By Eigel.

An Act to repeal sections 160.400, 160.420, and 167.349, RSMo, and to enact in lieu thereof three new sections relating to charter schools, with a delayed effective date.

SB 429—By Rowden.

An Act to amend chapters 324 and 621, RSMo, by adding thereto two new sections relating to the regulation of previously unregulated professions.

SB 430—By Cunningham.

An Act to amend chapter 362, RSMo, by adding thereto twenty-two new sections relating to family trust companies, with penalty provisions.

REFERRALS

President Pro Tem Richard referred **SCR 16** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 45**, with **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

Senator Wallingford assumed the Chair

President Parson assumed the Chair.

Senator Silvey moved that **SA 3** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

Senator Schupp offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 45, Page 2, Section 435.350, Line 42, by inserting immediately after “6.” the following: “**Any employee under the age of eighteen years who alleges sexual harassment or sexual**”

assault as part of a dispute with an employer shall not be bound by any agreement with or policy established by the employer requiring disputes to be submitted to arbitration.

7.”.

Senator Schupp moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Nasheed, Rizzo, Sifton and Walsh.

Senator Schupp offered **SA 1 to SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Bill No. 45, Page 1, Section 435.350, Line 3 by striking “eighteen” and inserting in lieu thereof “twenty-one”.

Senator Schupp moved that the above amendment be adopted.

Senator Onder assumed the Chair.

President Parson assumed the Chair.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 1 to SA 4**. He was joined in his request by Senators Holsman, Rizzo, Schupp and Walsh.

Senator Kraus assumed the Chair.

SA 1 to SA 4 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Nasheed	Rizzo	Rowden	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Sater	Schaaf	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

SA 4 was again taken up.

Senator Schupp moved that **SA 4** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Nasheed	Rizzo	Rowden
Schaaf	Schupp	Sifton	Silvey	Walsh—12		

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Sater	Schatz	Wallingford	Wasson	Wieland—20	

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

Senator Sifton offered **SA 5**, which was read:**SENATE AMENDMENT NO. 5**

Amend Senate Bill No. 45, Page 2, Section 435.350, Line 26, by inserting after all of said line the following:

(3) The agreement complies with the provisions of this chapter, including but not limited to the provisions of section 435.460;” and further amend line 28 by striking the word “or” and inserting in lieu thereof the following: “**and**”; and

Further renumber the remaining subdivisions accordingly.

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

On motion of Senator Romine, **SB 45**, as amended, was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Sifton introduced to the Senate, Corbin Cole, Webster Groves; and Corbin was made an honorary page.

Senator Munzlinger introduced to the Senate, Don Webb, Suzanne Carron, Rick Rovak, Cathy Luhman and Jenna Neher, representatives of the National Multiple Sclerosis Society.

Senator Sater introduced to the Senate, Bill and Darlene Thompson, Galena.

Senator Sater introduced to the Senate, Paul and Beverly Strahl, and their granddaughters, Kaitlyn and Kaleigh, Cassville.

Senator Onder introduced to the Senate, representatives of Vision St. Charles Leadership Program.

Senator Rowden introduced to the Senate, representatives of Junior Leadership Columbia.

Senator Hoskins introduced to the Senate, Sarah Curtis, Faith Barker, Miranda Lloyd, Charlie Rhyne, Kim Hall, Eddie Chitwood and Stormy Taylor; and Bethany Ballard, Matt Barker, Drew Burgess, Mikayla Casarez, Caroline Deal, Dylan Godfrey, Brooke Gregory, Victoria Kampel, Grace Kennedy, Sydney Otto, Hannah Schierenbeck, Caroline Schomaker, Krysta Scott and Kara Smith, representatives of CLIMB High 2017, Warrensburg High School.

Senator Chappelle-Nadal introduced to the Senate, Ralph McDaniel and Francine Dugger.

Senator Libla introduced to the Senate, his niece, Alicia Libla, Poplar Bluff.
On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 16, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 413-Munzlinger	SB 423-Sater
SB 414-Riddle	SB 424-Holsman
SB 415-Hummel	SB 425-Sifton
SB 416-Hoskins	SB 426-Wasson
SB 417-Chappelle-Nadal	SB 427-Wasson
SB 418-Hegeman	SB 428-Eigel
SB 419-Riddle	SB 429-Rowden
SB 420-Riddle	SB 430-Cunningham
SB 421-Rizzo	SJR 17-Kraus
SB 422-Cunningham	

HOUSE BILLS ON SECOND READING

HB 251-Taylor	HCS for HB 66
HB 51-Andrews	HCS for HBs 190 & 208
HCS for HB 54	

THIRD READING OF SENATE BILLS

SS for SB 182-Onder	SCS for SB 237-Rowden
---------------------	-----------------------

SENATE BILLS FOR PERFECTION

1. SB 113-Schatz, with SCS
2. SBs 37 & 244-Silvey, with SCS

- 3. SB 74-Schaaf, with SCS
- 4. SB 43-Romine, with SCS
- 5. SB 66-Schatz, with SCS
- 6. SB 189-Kehoe, with SCS
- 7. SB 28-Sater, with SCS

- 8. SB 139-Sater, with SCS
- 9. SB 20-Brown
- 10. SB 6-Richard, with SCS
- 11. SB 11-Wasson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

RESOLUTIONS

SR 197-Richard

To be Referred

SCR 17-Curls

SR 270-Kraus

✓