

# Journal of the Senate

FIRST REGULAR SESSION

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**FIFTY-FIFTH DAY—TUESDAY, APRIL 18, 2017**

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The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Reverend Carl Gauck offered the following prayer:

“Praise the Lord, all you nations Extol him, all you peoples For great is his steadfast love towards us, and the faithful ness of the Lord, endures forever. Praise the Lord” (Psalm 117)

Gracious God, we are thankful for this day and the freshness that comes after the rain and the greening and budding of the trees and grasses. We are thankful for the refreshing time we have had to enjoy time with family and friends and to find meaning and purpose in the new life we are offered. So we give You thanks and praise as we begin another new week to serve You. 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, April 13, 2017 was read.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Thursday, April 13, 2017, Page 859, Line 18, by striking “Kraus” and inserting in lieu thereof the following: “Cunningham”, which request was granted.

The Journal for Thursday, April 13, 2017 was approved as corrected.

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

President Pro Tem Richard assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS No. 2 for SCS for HCS for HB 130**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Rowden assumed the Chair.

### **CONCURRENT RESOLUTIONS**

Senator Kehoe offered the following concurrent resolution:

#### **SENATE CONCURRENT RESOLUTION NO. 26**

WHEREAS, Section 29.351 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

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 authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 29.351; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

### **RESOLUTIONS**

Senator Silvey offered Senate Resolution No. 744, regarding Kendall "Ken" Fitzpatrick, Gladstone, which was adopted.

Senator Rowden offered Senate Resolution No. 745, regarding the Boonville River, Rails and Trails Visitor Center, which was adopted.

Senator Schupp offered Senate Resolution No. 746, regarding Alvin Andrews, Sr., Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 747, regarding Robert Charles "Bob" Morton, Sr., Kirkwood, which was adopted.

Senator Hegeman offered Senate Resolution No. 748, regarding M. Michael Phillips, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 749, regarding Lila McLain, Cainsville, which was adopted.

Senator Hegeman offered Senate Resolution No. 750, regarding the Fiftieth Wedding Anniversary of Dwain and Sandy McCollum, Milan, which was adopted.

Senator Hegeman offered Senate Resolution No. 751, regarding the Fiftieth Wedding Anniversary of Ray and Marilyn Jermain, Conception Junction, which was adopted.

Senator Hegeman offered Senate Resolution No. 752, regarding Eagle Scout Roman G. Bernal, Kearney, which was adopted.

Senator Romine offered Senate Resolution No. 753, regarding Mildred Sloan, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 754, regarding Glenda Fallert, Bloomsdale, which was adopted.

Senator Wallingford offered Senate Resolution No. 755, regarding Kenneth Krieger, St. Mary, which was adopted.

Senator Wallingford offered Senate Resolution No. 756, regarding Brenda Krieger, St. Mary, which was adopted.

Senator Wallingford offered Senate Resolution No. 757, regarding Kenneth Koehler, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 758, regarding Donal Firebaugh, Fredericktown, which was adopted.

Senator Kehoe offered Senate Resolution No. 759, regarding Ralph Lemongelli, Wardsville, which was adopted.

Senator Koenig offered Senate Resolution No. 760, regarding John Judd, Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 761, regarding David Brazeal, which was adopted.

### **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 refuses to adopt **SS** for **HCS** for **HBs 90 & 68**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 4**, entitled:

An Act to repeal section 620.806, RSMo, and to enact in lieu thereof three new sections relating to workforce development.

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 **HCB 5**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to computer programming education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 118**, entitled:

An Act to repeal sections 160.011, 160.041, 160.410, 160.415, 162.081, 163.018, 163.021, 163.073, 167.121, 167.131, 167.151, 167.225, 167.241, 168.133, 171.029, 171.031, 171.033, and 304.060, RSMo, and to enact in lieu thereof twenty-three new sections relating to elementary and secondary education, with an emergency clause for certain sections and a delayed effective date for a certain section.

Emergency clause defeated.

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 227**, entitled:

An Act to amend chapter 337, RSMo, by adding thereto fourteen new sections relating to the psychology interjurisdictional compact.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 694**, entitled:

An Act to repeal sections 142.800, 142.803, and 142.869, RSMo, and to enact in lieu thereof four new sections relating to motor fuel taxes.

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 121**, entitled:

An Act to repeal section 191.603, RSMo, and to enact in lieu thereof one new section relating to the health professional student loan repayment program.

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 209**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to chiropractic services.

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 **HCR 35**.

HOUSE CONCURRENT RESOLUTION NO. 35

WHEREAS, On January 30, 2015, Secretary Chuck Hagel established the Defense POW/MIA Accounting Agency (DPAA) with the goal to remain committed to bringing our missing and fallen heroes home; and

WHEREAS, DPAA has launched investigations worldwide to locate sites associated with unaccounted servicemen, including, Vietnam where 1,617 Americans remain missing; and

WHEREAS, the United States involvement in the Vietnam War ended with the Paris Peace Accords on January 27, 1973; and

WHEREAS, there are 35 Missourians who are unaccounted for, 20 of those men are classified as killed in action, body not recovered, and 15 are classified as presumptive finding of death; and

WHEREAS, those 15 servicemen include: First Lieutenant Steven Neil Bezold, Chief Warrant Officer 2 Donald Martin Cramer, First Lieutenant William R. Edmondson, Private First Class Dickey W. Finley, Private First Class Paul Alfred Hasenbeck, First Lieutenant Frederick William Hess Jr., Lieutenant Junior Grade Charles Weldon Marik, Major Carl D. Miller, First Lieutenant Bernard Herbert Plassmeyer, Lieutenant Colonel Dayton William Ragland, First Lieutenant Dwight G. Rickman, Captain Robert Page Rosenbach, Captain John W. Seuell, First Lieutenant George Craig Smith, and Sergeant Randolph Bothwell Suber; and

WHEREAS, the families of those 15 servicemen have not had the closure of knowing what happened to their loved ones, or the option to bring their loved ones home for an honorable burial; and

WHEREAS, it has been 44 years since the end of the Vietnam War and 15 Missouri families have yet to be made whole again; and

WHEREAS, the DPAA needs to prioritize finding the 15 Missouri servicemen who are classified as presumptive finding of death and bring closure to those families:

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 urge the Defense POW/MIA Accounting Agency to prioritize resolving the cases of the 15 Missourians from the Vietnam War whose status is presumptive finding of death; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Defense POW/MIA Accounting Agency and each member of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 334**, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.325, 190.327, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency communication services, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 159**, entitled:

An Act to amend chapter 340, RSMo, by adding thereto one new section relating to actions against veterinarians.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 741**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto two new sections relating to insurance markets for commercial insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 729**, entitled:

An Act to repeal section 104.1091, RSMo, and to enact in lieu thereof two new sections relating to the retirement of state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 935**, entitled:

An Act to repeal section 67.547, RSMo, and to enact in lieu thereof one new section relating to sales taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Richard assumed the Chair.

## **REPORTS OF STANDING COMMITTEES**

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **HB 1045**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

## **REFERRALS**

President Pro Tem Richard referred **HCS** for **HB 57**, with **SCS**, **HCS** for **HB 661**, with **SCS**, **HB 248**, with **SCS**, **HCS** for **HB 151**, **HB 327**, **HCS** for **HB 831**, with **SCS**, **HB 655** and **HB 245**, with **SCS** to the Committee on Fiscal Oversight.

President Pro Tem Richard referred **SCR 25** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

## **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 411**—Education.

**HB 105**—Ways and Means.

**HCS** for **HB 260**—Seniors, Families and Children.

**HCS** for **HB 303**—Judiciary and Civil and Criminal Jurisprudence.

## **SENATE BILLS FOR PERFECTION**

**SB 469** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 517** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 435**, with **SCS** was placed on the Informal Calendar.

Senator Nasheed moved that **SB 451** be taken up for perfection, which motion prevailed.

Senator Nasheed offered **SS** for **SB 451**, entitled:

### **SENATE SUBSTITUTE FOR SENATE BILL NO. 451**

An Act to repeal sections 57.450 and 57.530, RSMo, and to enact in lieu thereof two new sections relating to the office of sheriff of the city of St. Louis, with an emergency clause.

Senator Nasheed moved that **SS** for **SB 451** be adopted.

At the request of Senator Nasheed, **SB 451**, with **SS** (pending), was placed on the Informal Calendar.

**SB 419** was placed on the Informal Calendar.

Senator Dixon moved that **SB 264** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Bill No. 264, Page 1, In the Title, Lines 2-3 of the title, by striking “the local workforce development act of 2017”; and inserting in lieu thereof the following: “local sales taxes”; and

Further amend said bill, Page 5, Section 67.1790, Line 152, by inserting after all of said line the following:

“184.503. 1. The governing body of any eligible county may, by resolution, authorize the creation of or participation in a district, and may impose a sales tax on all retail sales made within the eligible county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding the support of zoological activities within the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. Such creation of or participation in such district and the levy of the sales tax may be accomplished individually or on a cooperative basis with another eligible county or other eligible counties for financial support of the district. A petition requesting such creation of or participation in such district and the levy of the sales tax for the purpose of funding the support of zoological activities within the district may also be filed with the governing body, and shall be signed by not less than the number of qualified electors of an eligible county equal to five percent of the number of ballots cast and counted at the last preceding gubernatorial election held in such county. No such resolution adopted or petition presented under this section shall become effective unless the governing body of the eligible county submits to the voters residing within the eligible county at a state general, primary, or special election a proposal to authorize the governing body of the eligible county to create or participate in a district and to impose a tax under this section. The county election official shall give legal notice at least sixty days prior to such general or primary election or special election in at least two newspapers that such proposition or propositions shall be submitted at the next general or primary election or special election held for submission of this proposition. The resolution or proposition shall be printed on the ballot and in the notice of election. Provisions of this section to the contrary notwithstanding, no tax authorized under the provisions of this section shall be effective in any eligible noncharter county unless the tax authorized under the provisions of this section is also collected by an eligible charter county.

2. The ballot for the proposition in any county shall be in substantially the following form:

Shall a retail sales tax of \_\_\_\_\_ (insert amount, not to exceed one-quarter of one percent) be levied and collected for the benefit of the Kansas City Zoological District, which shall be created and consist of the county(s) of \_\_\_\_\_ (insert name of counties), for the support of zoological activities with the district?

YES

NO

The governing body of the county may place additional language on the ballot to describe the use or allocation of the funds.

3. In the event that a majority of the voters voting on such proposition in such county at said election cast votes for the proposition, then the district shall be deemed established and the tax rate for such subdistrict shall be deemed in full force and effect as of the first day of the year following the year of said election and the governing body of such county may proceed with the performance of all things necessary and incidental to participation in the district. The results of the aforesaid election shall be certified by the election officials of such county to the governing body of such county not less than thirty days after the day



of election. In the event the proposition shall fail to receive a majority of the votes “FOR”, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected. Any such resubmissions of such proposition shall substantially comply with the provisions of sections 184.500 to 184.515. **Any tax approved under this section shall expire after ten years unless reauthorized by a majority vote of the people.**

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All sales taxes collected by the director of revenue from the tax authorized by this section on behalf of the district, less one percent for cost of collection, which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds, as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Kansas City Zoological District Sales Tax Trust Fund”. The moneys in the Kansas City zoological district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money collected and deposited in the trust fund and the records shall be open to the inspection of officers of the district, the counties composing the district, and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the Kansas City zoological district sales tax trust fund during the preceding month to the district.

6. The director of revenue may make refunds from the amounts in the Kansas City zoological district sales tax trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district. If the district abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the Kansas City zoological district sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such account. After one year has elapsed after the effective date of abolition of the tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Any of the eligible counties composing the Kansas City zoological district may withdraw from the district by adoption of a resolution and approval of the resolution by a majority of the qualified electors of the county, in the same manner provided in this section for creating or becoming a part of the district. The governing body of a withdrawing county shall provide for the sending of formal written notice of withdrawal from the district to the governing body of the other county or each of the other counties comprising the district. Actual withdrawal shall not take effect until ninety days after notice has been sent. A withdrawing county shall not be relieved from any obligation that such county may have assumed or incurred by reason of being a part of the district, including, but not limited to, the retirement of any outstanding bonded indebtedness of the district.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

Senator Holsman raised the point of order that **SA 1** goes beyond the scope of the underlying bill and is not germane. The point of order was referred to the President Pro Tem who ruled it not well taken.

At the request of Senator Kraus, **SA 1** was withdrawn.

At the request of Senator Dixon, **SB 264** was placed on the Informal Calendar.

### MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James D. Cunningham Jr., 3240 Buckingham Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Dawn Fuller, term expired.

Respectfully submitted,  
Eric R. Greitens  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carla G. Holste, 301 Lucretia Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Carla G. Holste, withdrawn.

Respectfully submitted,  
Eric R. Greitens  
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Courtney L. Kovachevich, 11742 Longleaf Circle, Saint Louis, Saint Louis County, Missouri 63146, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, term expired.

Respectfully submitted,  
Eric R. Greitens  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Joseph G. Plaggenberg, withdrawn.

Respectfully submitted,  
Eric R. Greitens  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Alice Chang Ray, 1301 Kiefer Bluffs Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Alice Chang Ray, withdrawn.

Respectfully submitted,  
Eric R. Greitens  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eric R. Reece, 114 Forest Ridge Road, Rogersville, Christian County, Missouri 65742, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice Eric R. Reece, withdrawn.

Respectfully submitted,  
Eric R. Greitens  
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

### **HOUSE BILLS ON THIRD READING**

**HCB 3**, introduced by Representative Fitzpatrick, entitled:

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable senior citizens.

Was taken up by Senator Koenig.

Senator Hegeman assumed the Chair.

Senator Rowden assumed the Chair.

Senator Hummel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Bill No. 3, Pages 1-3, Section 135.010, by striking all of said section; and

Further amend said bill, page 4, section 135.025, line 1, by striking all opening and closing brackets “[ ]” from said line and the strikeout coding between the brackets; and further amend lines 2 and 3 by striking the opening and closing brackets “[ ]” from said lines and the strikeout coding between the brackets; and further amend line 6 by striking all opening and closing brackets “[ ]” from said line and the strikeout coding between the brackets; and further amend lines 18-19 by striking all of said lines and inserting in lieu thereof the following: **“3. The director of the department of revenue shall calculate the amount of sales tax remittance retained by sellers under section 144.140 in fiscal year 2016. In fiscal year 2018”**; and

Further amend said bill, pages 4-5, section 135.030, by striking all of said section from the bill; and

Further amend said bill, page 5, section 135.030, line 38, by inserting after all of said line the following: “[144.140. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.]”; and

Further amend the title and enacting clause accordingly.

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

Senator Kraus assumed the Chair.

Senator Hegeman assumed the Chair.

**SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Rizzo	Schupp	Sifton	Walsh—7
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NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Holsman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Schaaf	Schatz	Wallingford	Wasson

Wieland—22

Absent—Senators

Dixon	Nasheed	Sater	Silvey—4
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Absent with leave—Senators—None

Vacancies—1

President Pro Tem Richard assumed the Chair.

Senator Curls offered SA 2:

SENATE AMENDMENT NO. 2

Amend House Committee Bill No. 3, Pages 1-3, Section 135.010, by striking all of said section; and

Further amend said bill, page 4, section 135.025, line 1, by striking all opening and closing brackets “[ ]” from said line and the strikeout coding between the brackets; and further amend lines 2 and 3 by striking the opening and closing brackets “[ ]” from said lines and the strikeout coding between the brackets; and further amend line 6 by striking all opening and closing brackets “[ ]” from said line and the strikeout coding between the brackets; and further amend lines 18-19 by striking all of said lines and inserting in lieu thereof the following: “**3. In fiscal year 2018**”; and further amend line 20 by striking the following: “an amount equal to such calculated amount” and inserting in lieu thereof the following: “**fifty million dollars**”; and

Further amend said bill, pages 4-5, section 135.030, by striking all of said section from the bill; and

Further amend said bill, Page 3, Section 135.030, Line 38, by inserting after all of said line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

b. "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

c. Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state;

(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible property is "in this state" if the taxpayer's market for the sales is in this state. The taxpayer's market for sales is in this state:

a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;

b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;

c. In the case of sale of a service, if and to the extent the ultimate beneficiary of the service is located in this state and shall not be in this state if the ultimate beneficiary of the service rendered by the taxpayer or the taxpayer's designee is located outside this state; and

d. In the case of intangible property:

(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is "used in this state" if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are "used in this state" to the extent the franchise location is in this state; and

(ii) That is sold, if and to the extent the property is used in this state, provided that:

i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is "used in this state" if the geographic area includes all or part of this state;

ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and

iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;

(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;

(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;

(h) The director may prescribe such rules and regulations as necessary or appropriate to carry out the purposes of this section].

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must

be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, "gross income" is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S



corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.

[10. The provisions of this section do not impact any other apportionment election available to a taxpayer under Missouri statutes.]"; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted.

Senator Curls offered SA 1 to SA 2, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to House Committee Bill No. 3, Page 1, Section 135.025, Line 14 by striking “fifty” and inserting in lieu thereof “**fifty-two**”.

Senator Curls moved that the above amendment be adopted, which motion failed.

Senator Kraus offered SSA 1 for SA 2:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 2

Amend House Committee Bill No. 3, Page 5, Section 135.030, Line 38, by inserting after all of said line the following:

**“208.1205. 1. The department of social services shall apply for and obtain a Medicaid global waiver and any other necessary waivers or state plan amendments from the Secretary of the United States Department of Health and Human Services, including, but not limited to, a waiver of the appropriate sections of Title XIX, 42 U.S.C. Section 1396 et. seq. The application for and the provisions of such waivers or state plan amendments shall be implemented as follows:**

**(1) The federal waiver application process shall be reviewed by the joint committee on public assistance, established under section 208.952. Prior to the submission of the waiver application to the federal government, the department shall provide the joint committee with the proposed waiver application. The waiver application shall not be submitted to the federal government until the provisions of this section have been followed;**

**(2) The joint committee shall review the waiver application and hold a public hearing within thirty days of receipt of the application, during which public testimony shall be received. The director of the department, or the director of the division of MO HealthNet, shall testify on the proposed waiver application; and**

**(3) Within thirty days of the public hearing, the joint committee shall either accept or reject the proposed waiver application and shall, if necessary, propose modifications to or other recommendations for the application as submitted.**

**2. The waiver application shall include provisions, to the fullest extent possible, that maximize the flexibility of the state to design a patient-centered, sustainable, and cost-effective approach to a market-based health care system that emphasizes competitive and value-based purchasing. Such flexibility may include:**

**(1) Eligibility determinations which may include work requirements for certain able-bodied adults;**

**(2) Initiatives to promote healthy outcomes and reward personal responsibility, including the use of co-payments, premiums, and health savings accounts. Such initiatives may include the forgiveness of a patient’s co-payments, premiums, or other out-of-pocket obligations or the use of other incentives**

in exchange for the patient's performance or participation in healthy incentives and wellness programs or for choosing lower-cost health care services;

(3) Measures to improve the quality of and to lower the cost of health care through policies such as selective contracting and competitive bidding, preferred provider networks, and health outcome-based provider reimbursement; and

(4) Accountability and transparency measures designed to promote interdepartmental cooperation and coordination while eliminating redundancies. Such measures shall also promote the efficient and cost-effective delivery of health care services in a patient-centered approach, including physical and mental health care services.

3. The waiver application shall include provisions, to the fullest extent possible, that propose or accept funding mechanisms similar to a federally-capped block grant, which may include capped per capita allocations, capped allotments, or shared savings based on per-enrollee spending targets, adjusted for inflation, state gross domestic product, state population growth, state Medicaid population growth, natural disasters, man-made disasters, extensive economic downturns, and other economic and demographic factors, for the duration of the waiver.

208.1210. 1. It shall be necessary to propose legislative changes in order to comply with the federal waiver application submitted under section 208.1205, if the application is approved by the federal government. Until such statutory changes are enacted through the legislative process, all applicable laws relating to MO HealthNet shall remain in effect. In order to effectuate additional programmatic changes to the MO HealthNet program beyond those authorized by the ninety-ninth general assembly, first regular session, and as authorized by the waiver, the department of social services shall propose the additional statutory changes required. Such changes cannot be effectuated until the necessary statutes have been enacted.

2. The joint committee on public assistance shall hold public hearings and receive public testimony on such proposed statutory changes to determine whether or not such proposals satisfy the goals enumerated in section 208.1205 and would result in substantial new opportunities for the MO HealthNet program on a cost-neutral basis.

3. Upon the enactment of legislation related to the waiver, the department shall adopt rules and regulations to implement the provisions of the waiver. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

208.1215. After the approval of the waiver application submitted under section 208.1205 by the federal government, the joint committee on public assistance shall meet at least twice a year. The joint committee shall have the authority to:

(1) Provide oversight on the Medicaid global waiver;

(2) Communicate as necessary with the director of the department of social services, the director of the MO HealthNet division, and any other divisions or departments within the scope of the MO HealthNet program;

(3) Recommend the type of services for the MO HealthNet program offered by the state;

(4) Issue, in accordance with section 21.400, subpoenas, subpoenas duces tecum, and orders for the production of books, accounts, papers, records, and documents; and

(5) Recommend to the general assembly and the department any amendments to the waiver and any corrective clarifying legislation that may be necessary.

**208.1220. 1.** In the event that the global waiver or related waivers or state plan amendments submitted under section 208.1205 are suspended or terminated for any reason, or in the event that the global waiver or related waivers or state plan amendments expire, the department of social services shall apply for an extension or renewal of the global waiver or any new waivers that, at a minimum, ensure the continuation of the waiver authorities in existence prior to the acceptance of the global waiver. The department shall ensure that any such actions are conducted in accordance with applicable federal statutes and regulations relating to waiver renewals, extensions, or terminations. The department shall, to the fullest extent possible, ensure that said waiver authorities are reinstated prior to any suspension, termination, or expiration of the global waiver.

**2.** In the event that the provisions of Title XIX, 42 U.S.C. Section 1396 et. seq. are changed or repealed to the extent that Medicaid becomes, or the federal government otherwise offers, a block grant to the states for the provision of health care services to certain eligible persons, the provisions of sections 208.1205 to 208.1215 shall expire.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above substitute amendment be adopted.

Senator Schaaf raised the point of order that SSA 1 for SA 2 goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Kraus, SSA 1 for SA 2 was withdrawn, rendering the point of order moot.

At the request of Senator Koenig, HCB 3, with SA 2 (pending), was placed on the Informal Calendar.

Senator Onder assumed the Chair.

### REFERRALS

President Pro Tem Richard referred **HB 1045**, **HB 289**, with SCS, and SS for SCS for **SB 49** to the Committee on Fiscal Oversight.

### 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 849**, entitled:

An Act to repeal sections 50.740 and 105.145, RSMo, and to enact in lieu thereof two new sections relating to the reporting of financial transactions, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 330**, entitled:

An Act to repeal section 334.036, RSMo, and to enact in lieu thereof one new section relating to assistant physicians, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1158**, entitled:

An Act to repeal sections 21.771, 210.110, and 210.152, RSMo, and to enact in lieu thereof three new sections relating to child abuse, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## **RESOLUTIONS**

Senator Riddle offered Senate Resolution No. 762, regarding Timothy G. Peters, Warrenton, which was adopted.

Senator Riddle offered Senate Resolution No. 763, regarding Betty O'Neal, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 764, regarding Barbara Fisher, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 765, regarding Betty W. Creech, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 766, regarding Jacqueline Thomas, Madison, which was adopted.

## **COMMUNICATIONS**

Senator Silvey submitted the following:

April 1, 2017

Ms. Adriane Crouse

Secretary of the Senate

State Capitol, Room 325

201 W. Capitol Avenue

Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that House Bill 1045 be removed from the consent calendar.

Thank you for your consideration of my request.

Sincerely,



Senator Ryan Silvey  
District 17

### **INTRODUCTION OF GUESTS**

Senator Hegeman introduced to the Senate, Basketball Coach Ben McCollum; Football Coach Rich Wright; and D’Vante Mosby, Anthony Woods, Zach Schneider, Cass Weidl and Collin Bevins, members of the 2016-2017 NCAA Division II State Champion Northwest Missouri State University basketball and football teams.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, April 19, 2017.

### **SENATE CALENDAR**

—————  
FIFTY-SIXTH DAY—WEDNESDAY, APRIL 19, 2017  
—————

### **FORMAL CALENDAR**

#### **HOUSE BILLS ON SECOND READING**

HCS for HB 433  
HB 598-Cornejo  
HCS for HB 656  
HCS for HB 698  
HCS for HB 17  
HCS for HB 18  
HCS for HB 19  
HCB 4-Lauer  
HCB 5-Lauer  
HCS for HB 118  
HB 227-Hubrecht

HCS for HB 694  
HB 121-Frederick  
HB 209-Wiemann  
HCS for HB 334  
HCS for HB 159  
HCS for HB 741  
HCS for HB 729  
HCS for HB 935  
HB 849-Pfautsch  
HCS for HB 330  
HCS for HB 1158

#### **THIRD READING OF SENATE BILLS**

SS#2 for SCS for SB 313-Koenig  
(In Fiscal Oversight)

SS for SCS for SB 49-Walsh (In Fiscal Oversight)  
SS for SB 490-Schupp

## SENATE BILLS FOR PERFECTION

- |                             |                                  |
|-----------------------------|----------------------------------|
| 1. SB 495-Riddle, with SCS  | 9. SB 480-Kraus                  |
| 2. SB 532-Hoskins           | 10. SB 407-Riddle, with SCS      |
| 3. SB 518-Emery             | 11. SB 353-Wallingford, with SCS |
| 4. SB 341-Nasheed, with SCS | 12. SB 380-Riddle                |
| 5. SJR 5-Emery, with SCS    | 13. SB 297-Hummel, with SCS      |
| 6. SB 305-Kehoe, et al      | 14. SB 474-Schatz                |
| 7. SB 535-Wallingford       | 15. SB 483-Holsman               |
| 8. SB 523-Sater, with SCS   | 16. SB 498-Nasheed               |

## HOUSE BILLS ON THIRD READING

- |  |  |
|--|--|
| 1. HB 288-Fitzpatrick (Kehoe)  | 17. HB 758-Cookson, with SCS (Romine)                                |
| 2. HCS for HB 151 (Silvey)<br>(In Fiscal Oversight)                  | 18. HCS for HB 138, with SCS (Onder)                                 |
| 3. HB 850-Davis (Kraus)  | 19. HCS for HB 441 (Rowden)  |
| 4. HCS for HB 452 (Rowden)   | 20. HCS for HB 253, with SCS (Romine)                                |
| 5. HCS for HB 831, with SCS (In Fiscal<br>Oversight)                 | 21. HB 94-Lauer (Romine)   |
| 6. HCS for HB 381, with SCS (Hegeman)                                | 22. HB 248-Fitzwater, with SCS<br>(Cunningham) (In Fiscal Oversight) |
| 7. HB 58-Haefner (Onder)   | 23. HB 289-Fitzpatrick, with SCS<br>(Rowden) (In Fiscal Oversight)   |
| 8. HB 175-Reiboldt, with SCS (Munzlinger)                            | 24. HB 493-Bondon, with SCS (Silvey)                                 |
| 9. HB 327-Morris (Curls) (In Fiscal<br>Oversight)                    | 25. HB 52-Andrews (Hegeman)  |
| 10. HB 680-Fitzwater, with SCS (Wasson)                              | 26. HCS for HB 647, with SCS (Sater)                                 |
| 11. HCS for HB 57-Haefner, with SCS<br>(Libla) (In Fiscal Oversight) | 27. HCS for HB 353, with SCS   |
| 12. HCS for HB 422 (Dixon)   | 28. HCS for HB 54, with SCS (Emery)                                  |
| 13. HB 245-Rowland, with SCS<br>(Cunningham) (In Fiscal Oversight)   | 29. HB 355-Bahr (Eigel)  |
| 14. HB 262-Sommer (Hoskins)  | 30. HCS for HB 122, with SCS (Onder)                                 |
| 15. HCS for HB 270 (Rowden)  | 31. HCS for HB 230, with SCS (Koenig)                                |
| 16. HCS for HB 661, with SCS (Emery)<br>(In Fiscal Oversight)        | 32. HB 700-Cookson, with SCS (Libla)                                 |
|  | 33. HB 1045-Haahr (Wasson)<br>(In Fiscal Oversight)                  |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |                        |             |
|------------------------|-------------|
| SB 5-Richard           | SB 13-Dixon |
| SB 6-Richard, with SCS | SB 20-Brown |



SB 21-Brown  
SB 28-Sater, with SCS (pending)  
SB 32-Emery, with SCS  
SBs 37 & 244-Silvey, with SCS, SS for  
SCS & SA 1 (pending)  
SB 41-Wallingford and Emery, with SS,  
SA 1 & SA 1 to SA 1 (pending)  
SBs 44 & 63-Romine, with SCS  
SB 46-Libla, with SCS  
SB 61-Hegeman, with SCS  
SB 67-Onder, et al, with SS, SA 1 &  
SSA 1 for SA 1 (pending)  
SB 68-Onder and Nasheed  
SB 76-Munzlinger  
SB 80-Wasson, with SCS  
SB 81-Dixon  
SB 83-Dixon  
SB 85-Kraus, with SCS  
SB 96-Sater and Emery  
SB 97-Sater, with SCS  
SB 102-Cunningham, with SCS  
SB 103-Wallingford  
SB 109-Holsman, with SCS  
SB 115-Schupp, with SCS  
SB 117-Schupp, with SCS  
SB 122-Munzlinger, with SCS  
SB 123-Munzlinger  
SB 126-Wasson  
SB 129-Dixon and Sifton, with SCS  
SB 130-Kraus, with SCS  
SB 133-Chappelle-Nadal  
SB 138-Sater  
SB 141-Emery  
SB 142-Emery  
SB 144-Wallingford  
SB 145-Wallingford, with SCS  
SB 147-Romine  
SB 156-Munzlinger, with SCS  
SB 157-Dixon, with SCS  
SB 158-Dixon  
SB 163-Romine  
SB 169-Dixon, with SCS  
SB 171-Dixon and Sifton, with SCS  
SB 176-Dixon  
SB 177-Dixon, with SCS  
SB 178-Dixon  
SB 180-Nasheed, with SCS  
SB 183-Hoskins, with SCS  
SB 184-Emery, with SS (pending)  
SB 185-Onder, et al, with SCS  
SB 188-Munzlinger, with SCS  
SB 189-Kehoe, with SCS  
SB 190-Emery, with SCS & SS#2 for SCS  
(pending)  
SB 196-Koenig  
SB 199-Wasson  
SB 200-Libla  
SB 201-Onder, with SCS  
SB 203-Sifton, with SCS  
SB 207-Sifton  
SB 209-Wallingford  
SB 210-Onder, with SCS  
SB 220-Riddle, with SCS & SS for SCS  
(pending)  
SB 221-Riddle  
SB 223-Schatz, with SCS  
SB 227-Koenig, with SCS  
SB 228-Koenig, with SS & SA 1 (pending)  
SB 230-Riddle  
SB 232-Schatz  
SB 233-Wallingford  
SB 234-Libla, with SCS  
SB 239-Rowden, with SCS  
SB 242-Emery, with SCS  
SB 243-Hegeman  
SB 247-Kraus, with SCS  
SB 250-Kehoe  
SB 252-Dixon, with SCS  
SB 258-Munzlinger  
SB 259-Munzlinger  
SB 260-Munzlinger  
SB 261-Munzlinger  
SB 262-Munzlinger  
SB 263-Riddle  
SB 264-Dixon  
SB 267-Schatz, with SCS  
SB 271-Wasson and Richard, with SCS  
SB 280-Hoskins, with SCS

SB 284-Hegeman, with SCS	SB 389-Sater, with SCS
SBs 285 & 17-Koenig, with SCS	SB 391-Munzlinger
SB 286-Rizzo	SB 392-Holsman
SB 290-Schatz, with SCS	SB 406-Wasson and Sater
SB 295-Schaaf, with SCS	SB 409-Koenig
SB 298-Curls	SB 410-Schatz
SB 303-Wieland, with SCS	SB 413-Munzlinger
SB 311-Wasson, with SCS	SB 418-Hegeman, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 419-Riddle
SB 316-Rowden, with SCS	SB 422-Cunningham, with SCS
SB 325-Kraus	SB 426-Wasson, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 427-Wasson
SB 328-Romine, with SCS & SA 3 (pending)	SB 430-Cunningham, with SCS
SB 330-Munzlinger	SB 433-Sater, with SCS
SB 331-Hegeman	SB 435-Cunningham, with SCS
SB 333-Schaaf, with SCS	SB 442-Hegeman
SB 336-Wieland	SB 445-Rowden
SB 348-Wasson, with SA 1 (pending)	SB 448-Emery
SB 349-Wasson	SB 451-Nasheed, with SS (pending)
SB 358-Wieland	SB 468-Hegeman
SB 362-Hummel	SB 469-Schatz
SB 368-Rowden	SB 475-Schatz
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 485-Hoskins
SB 378-Wallingford	SB 517-Wasson
SB 379-Schatz	SB 526-Brown
SB 381-Riddle	SJR 9-Romine, with SCS
SB 383-Eigel and Wieland	SJR 11-Hegeman, with SCS
SB 384-Rowden, with SCS	SJR 12-Eigel
	SJR 17-Kraus

#### HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)	HCS for HBs 190 & 208 (Eigel)
HB 35-Plocher (Dixon)	HB 207-Fitzwater (Romine)
HB 51-Andrews, with SCS (Hegeman)	HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HB 66, with SCS (Sater)	HCS for HB 292, with SCS (Cunningham)
HB 85-Redmon, with SCS (Hegeman)	HCS for HBs 302 & 228, with SCS (Schatz)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HB 336-Shull (Rowden)
HB 93-Lauer, with SCS (Wasson)	HCS for HBs 337, 259 & 575 (Schatz)
HB 95-McGaugh (Emery)	HCS for HBs 339 & 714, with SCS (Rowden)
HB 104-Love (Brown)	HCS for HB 427, with SCS (Kehoe)
HCS for HB 115, with SCS (Wasson)	HCS for HB 451 (Wasson)

HCS for HB 460 (Munzlinger)  
HB 461-Kolkmeier (Munzlinger)  
HB 462-Kolkmeier (Munzlinger)  
HB 655-Engler (Dixon) (In Fiscal Oversight)

HCS for HBs 1194 & 1193 (Hegeman)  
HCB 3-Fitzpatrick, with SA 2 (pending)  
(Koenig)

## CONSENT CALENDAR

### House Bills

Reported 4/13

HB 871-Davis, with SCS (Kraus)  
HCS for HB 304, with SCS  
HB 909-Fraker (Wasson)  
HCS for HB 631, with SCS (Emery)  
HCS for HB 703 (Hegeman)  
HB 843-McGaugh, with SCS (Hegeman)  
HB 200-Fraker, with SCS  
HCS for HB 199, with SCS  
HB 956-Vescovo, with SCS (Rizzo)  
HB 87-Henderson, with SCS (Romine)  
HB 587-Redmon, with SCS (Hegeman)

HCS for HB 258, with SCS (Munzlinger)  
HCS for HB 645 (Sater)  
HCS for HB 183 (Nasheed)  
HCS for HB 542 (Schatz)  
HB 61-Alferman (Schatz)  
HB 128, HB 678, HB 701 & HB 964-Davis,  
with SCS (Richard)  
HB 811-Ruth (Wieland)  
HB 805-Basye (Rowden)  
HB 664-Korman (Riddle)

## BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

### Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended  
(Schatz) (House requests Senate  
recede or grant conference)

## RESOLUTIONS

SR 197-Richard

### Reported from Committee

SCR 18-Wallingford  
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

To be Referred

SCR 26-Kehoe

HCR 35-Hurst

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