

# Journal of the Senate

FIRST REGULAR SESSION

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FIFTH DAY—WEDNESDAY, JANUARY 11, 2017

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The Senate met pursuant to adjournment.

Senator Wallingford in the Chair.

Reverend Carl Gauck offered the following prayer:

“Then my soul shall rejoice in the Lord; exulting in his deliverance.” (Psalm 35:9)

Almighty Father, often we are struck with the wonder of this gift of life we have been given. Each day we are blessed and appreciate the opportunity to live with purpose and joy and be about what You have created us to be. And Lord we are most thankful for Your presence in our lives guiding us to live the abundant life found in 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 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—Senators—None

Vacancies—1

## RESOLUTIONS

Senator Sater offered Senate Resolution No. 35, regarding Roland Dale Douglas, Branson West, which was adopted.

Senator Sater offered Senate Resolution No. 36, regarding the Sixtieth Wedding Anniversary of Rich and Wyn Wittig, Kimberling City, which was adopted.

Senator Riddle offered Senate Resolution No. 37, regarding the American Heart Association Midwest Affiliate, which was adopted.

### CONCURRENT RESOLUTIONS

Senator Romine offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 5

Whereas, the Joachim Creek runs through both Jefferson County and St. Francois County in Missouri;

Whereas, the Joachim Creek has changed over the course of time and has begun to endanger the health, safety, and welfare of citizens by being prone to frequent flash flood events;

Whereas, it is pertinent that action be taken in order to ensure that citizens located near Joachim Creek have safe housing and a safe environment to work, live, and raise their families;

Whereas, citizens, government agencies, community groups, and businesses need to come together to provide solutions for those afflicted by the Joachim Creek frequent flash flood events;

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 the City of DeSoto and Jefferson County to establish a Joachim Creek Joint Task Force in order to:

1. Establish an early warning system to alert citizens of the need to evacuate during a flash flood event;
2. Conduct a study to better identify areas that are truly affected by repeated flooding of the Joachim Creek, and to distribute such results to assist in long-term planning in the Jefferson County area;
3. Determine if an organized property buyout is possible for areas that are truly affected by repeated flooding of the Joachim Creek; and
4. Identify methods that allow the area to use such flooding as an economic development tool; and

Be It Further Resolved that the Task Force may include the following members:

1. Traysa Sauer, Committee Member, Concerned Citizens for Flood Relief;
2. Susan Liley, Committee Member, Concerned Citizens for Flood Relief;
3. Paula Arbuthnot, Committee Member, Concerned Citizens for Flood Relief;
4. Elaine Gannon, State Representative, Missouri House of Representatives, District 115;
5. Claire McCaskill, Senator, United States Senate, or her designee;
6. Roy Blunt, Senator, United States Senate, or his designee;
7. Jason Smith, Congressman, United States House of Representatives, Missouri's 8th District, or his designee;
8. Gary Romine, Senator, Missouri State Senate, District 3;
9. Ben Harris, State Representative, Missouri House of Representatives, District 118;
10. Ken Waller, County Executive, Jefferson County;
11. Warren Robinson, Director, Jefferson County Office of Emergency Management;
12. Eric Larson, Director, Code Enforcement Division, Jefferson County;
13. David Dews, City Manager, City of DeSoto;
14. A representative from the Army Corps of Engineers;
15. A representative from the Missouri State Emergency Management Agency;
16. A representative from the Federal Emergency Management Agency;
17. A representative from the Jefferson County Office of Economic Development; and

Be it Further Resolved that the Task Force may elect a chairperson and other officeholders from within its membership, and may add members to the Task Force by a majority vote; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Jefferson County Executive Ken Waller, Senator Claire McCaskill, Senator Roy Blunt, Congressman Jason Smith, the Director of the Missouri State Emergency Management Agency, the Administrator of the Federal Emergency Management Agency, and the Commanding General of the United States Army Corps of Engineers.

Senator Walsh offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. Although one in ten people are carriers for this bacteria with no signs or symptoms of disease, sometimes *Neisseria meningitidis* bacteria can cause illness; and

Whereas, meningococcal disease is spread from person to person through the exchange of bacteria through respiratory and throat secretion during close or lengthy contact; and

Whereas, in the United States, there are approximately 1,000 to 1,200 cases of meningococcal disease that occur each year; and

Whereas, ten to fifteen percent of infected individuals will die, while eleven to nineteen percent of those who live will suffer from serious morbidity, including loss of limbs and impacts to the nervous system; and

Whereas, infants under one year of age, as well as young adults between the ages of sixteen and twenty-one, are most commonly impacted by this disease; and

Whereas, there are different strains or serogroups of *Neisseria meningitidis*, with serogroups B, C, and Y accounting for most meningococcal disease in the United States; and

Whereas, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death; and

Whereas, vaccines are available to prevent meningococcal disease, and different vaccines provide coverage against certain specific serogroups of the disease; and

Whereas, while there are vaccines that help provide protection against all three serogroups (B, C, and Y) commonly seen in the United States, only vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention; and

Whereas, the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults sixteen through twenty-three years of age against serogroup B meningococcal disease should be made at the individual level with health care providers; and

Whereas, it is critical that students, parents, educators, and health care providers understand the dangers of meningitis B and are aware that a vaccine is available to prevent disease resulting from this serogroup:

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, urge the Missouri Department of Higher Education and the Missouri Department of Health and Senior Services to encourage all public and private high schools, colleges, and universities in Missouri to provide information to all students, parents, and guardians about meningococcal disease, explaining the different disease serogroups, symptoms, risks, and treatment options; and

Be It Further Resolved that such information should also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices, including Category A and Category B recommendations, with specific information as to those persons at higher risk for the disease; and

Be It Further Resolved that each public and private high school, college, and university in Missouri is urged to recommend that current and entering students receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices guidelines; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Missouri Department of Higher Education and the Director of the Missouri Department of Health and Senior Services.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were read the 1<sup>st</sup> time and ordered printed:

**SB 278**—By Emery.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the comprehensive state energy plan.

**SB 279**—By Kraus.

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designations on driver's licenses and identification cards.

**SB 280**—By Hoskins.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2015, with an emergency clause.

**SB 281**—By Hegeman.

An Act to repeal section 247.060, RSMo, and to enact in lieu thereof one new section relating to board members of public water supply districts.

**SB 282**—By Hegeman.

An Act to repeal section 287.243, RSMo, and to enact in lieu thereof one new section relating to compensation awarded under the Line of Duty Compensation Act.

**SB 283**—By Hegeman.

An Act to repeal sections 137.565 and 233.180, RSMo, and to enact in lieu thereof two new sections relating to special road district commissioner elections.

**SB 284**—By Hegeman.

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

**SB 285**—By Koenig.

An Act to repeal sections 32.105, 32.110, 32.115, 100.286, 100.850, 135.010, 135.025, 135.352, 135.403, 135.484, 135.766, 135.825, 143.071, 253.550, 348.300, 348.302, 348.304, 348.306, 348.308, 348.310, 348.312, 348.316, 348.318, 447.708, and 620.1039, RSMo, and to enact in lieu thereof fourteen new sections relating to taxation.

**SB 286**—By Rizzo.

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

**SB 287**—By Nasheed.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to biased policing.

**SB 288**—By Nasheed.

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to the law library surcharge.

**SB 289**—By Nasheed.

An Act to amend chapter 455, RSMo, by adding thereto three new sections relating to rental agreements of victims of certain types of abuse.

**SB 290**—By Schatz.

An Act to repeal sections 287.120, 287.140, 287.150, 287.170, and 287.780, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with existing penalty provisions.

**SB 291**—By Rowden.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to paid parental leave for state employees.

**SB 292**—By Rowden.

An Act to amend chapter 316, RSMo, by adding thereto one new section relating to ticket selling practices.

**SJR 13**—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

**SJR 14**—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

### **REFERRALS**

President Pro Tem Richard referred **SR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **COMMITTEE APPOINTMENTS**

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 1**: Senators Brown, Cunningham, Curls, Hummel, Libla, Rizzo, Sater, Schatz, Schupp and Walsh.

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 2**: Senators Chappelle-Nadal, Dixon, Emery, Holsman, Onder, Nasheed, Schaaf, Sifton, Silvey and Walsh.

### **SECOND READING OF SENATE BILLS**

The following Bills were read the 2<sup>nd</sup> time and referred to the Committees indicated:

**SB 132**—Ways and Means.

**SB 133**—Education.

**SB 134**—Local Government and Elections.

**SB 135**—Judiciary and Civil and Criminal Jurisprudence.

**SB 136**—Local Government and Elections.

**SB 137**—Local Government and Elections.

**SB 138**—Health and Pensions.

**SB 139**—Seniors, Families and Children.

**SB 140**—Local Government and Elections.

- SB 141**—Health and Pensions.
- SB 142**—Judiciary and Civil and Criminal Jurisprudence.
- SB 143**—Judiciary and Civil and Criminal Jurisprudence.
- SB 144**—Veterans and Military Affairs.
- SB 145**—Commerce, Consumer Protection, Energy and the Environment.
- SB 146**—Local Government and Elections.
- SB 147**—Progress and Development.
- SB 148**—Government Reform.
- SB 149**—Ways and Means.
- SB 150**—Small Business and Industry.
- SB 151**—Insurance and Banking.
- SB 152**—Transportation, Infrastructure and Public Safety.
- SB 153**—General Laws.
- SB 154**—Judiciary and Civil and Criminal Jurisprudence.
- SB 155**—Insurance and Banking.
- SB 156**—Transportation, Infrastructure and Public Safety.
- SB 157**—Judiciary and Civil and Criminal Jurisprudence.
- SB 158**—Judiciary and Civil and Criminal Jurisprudence.
- SB 159**—Judiciary and Civil and Criminal Jurisprudence.
- SB 160**—Seniors, Families and Children.
- SB 161**—Local Government and Elections.
- SB 162**—Government Reform.
- SB 163**—Transportation, Infrastructure and Public Safety.
- SB 164**—Agriculture, Food Production and Outdoor Resources.
- SB 165**—Transportation, Infrastructure and Public Safety.
- SB 166**—Health and Pensions.
- SB 167**—Judiciary and Civil and Criminal Jurisprudence.
- SB 168**—Insurance and Banking.
- SB 169**—Judiciary and Civil and Criminal Jurisprudence.

- SB 170**—Judiciary and Civil and Criminal Jurisprudence.
- SB 171**—Judiciary and Civil and Criminal Jurisprudence.
- SB 172**—Transportation, Infrastructure and Public Safety.
- SB 173**—Education.
- SB 174**—Seniors, Families and Children.
- SB 175**—Government Reform.
- SB 176**—Judiciary and Civil and Criminal Jurisprudence.
- SB 177**—Judiciary and Civil and Criminal Jurisprudence.
- SB 178**—Judiciary and Civil and Criminal Jurisprudence.
- SB 179**—Economic Development.
- SB 180**—Transportation, Infrastructure and Public Safety.
- SB 181**—Transportation, Infrastructure and Public Safety.
- SB 182**—General Laws.
- SB 183**—Government Reform.
- SB 184**—Commerce, Consumer Protection, Energy and the Environment.
- SB 185**—Transportation, Infrastructure and Public Safety.
- SB 186**—Local Government and Elections.
- SB 187**—Transportation, Infrastructure and Public Safety.
- SB 188**—Education.
- SB 189**—Small Business and Industry.
- SB 190**—Commerce, Consumer Protection, Energy and the Environment.
- SB 191**—Local Government and Elections.
- SB 192**—Seniors, Families and Children.
- SB 193**—Insurance and Banking.
- SB 194**—Health and Pensions.
- SB 195**—Seniors, Families and Children.
- SB 196**—Seniors, Families and Children.

#### **COMMUNICATIONS**

Senator Walsh submitted the following:

January 10, 2017

Scott C. Englund, Chair  
Mo Veterans Commission  
1320 Roseview Drive  
Jefferson City, MO 65101

Dear Mr. Englund,

It has been my pleasure to serve with you on the board of Missouri Veterans Commission. I have enjoyed working with you.

In connection with the reorganization of the 99th General Assembly, another Senate Democrat has been selected to serve on the MO Veterans Commission board. In order to defer to that appointment by Senate Minority Leader Gina Walsh, I hereby resign. Please consider my resignation effective today, January 10, 2017.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Senator Scott Sifton  
District 1

Also,

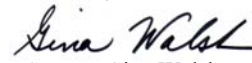
January 10, 2017

Adriane Crouse—Secretary of the Senate  
State Capitol, Room 325  
Jefferson City, Missouri 65102

Dear Adriane:

Due to a recent resignation, there is now a vacancy for the minority caucus on the Missouri Veterans' Commission. Pursuant to the provisions of section 42.007, RSMo, I hereby appoint Senator Jill Schupp to the Missouri Veterans' Commission.

Sincerely,



Senator Gina Walsh  
Minority Floor Leader

Also,

January 10, 2017

Mark Langworthy, Vice Chairperson  
Missouri Consolidated Health Care Board of Trustees  
832 Weathered Rock Court  
Jefferson City, MO 65101

Dear Mr. Langworthy,

It has been my pleasure to serve with you on the board of Missouri Consolidated Health Care Plan. I have enjoyed working with you. In connection with the reorganization of the 99th General Assembly, another Senate Democrat has been selected to serve on the MCHCP board. In order to defer to that appointment by Senate Minority Leader Gina Walsh, I hereby resign. Please consider my resignation effective today, January 10, 2017.

It has been a pleasure to serve on the board for the Missouri Consolidated Health Care Plan.

Sincerely,



Senator Scott Sifton  
District 1



President Pro Tem Richard submitted the following:

January 10, 2017

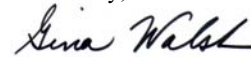
Senator Ron Richard – President Pro Tem  
State Capitol, Room 326  
Jefferson City, Missouri 65102

Dear Senator Richard:

Pursuant to Senate Rule 12 and in my capacity as Minority Floor Leader, I hereby remove Senator Jamilah Nasheed from the Committee on General Laws and appoint her to the Committee on Ways and Means.

In addition, again pursuant to Rule 12 and in my capacity as Minority Floor Leader, I appoint Senator Jake Hummel to the following committees: Agriculture, Food Production and Outdoor Resources; Commerce, Consumer Protection, Energy and the Environment; General Laws; Small Business and Industry; Transportation, Infrastructure and Public Safety; and Progress and Development.

Sincerely,



Senator Gina Walsh  
Minority Floor Leader

Also,

January 11, 2017

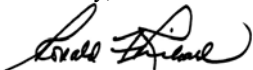
Ms. Adriane Crouse  
Secretary of the Senate  
State Capitol Building, Room 325  
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12 and with the request of Senator Walsh, I hereby remove Senator Jamilah Nasheed from the Committee on General Laws and appoint her to the Committee on Ways and Means.

In addition, again pursuant to Senate Rule 12 and with the request of Senator Walsh, I appoint Senator Jake Hummel to the following committees: Agriculture, Food Production and Outdoor Resources; Commerce, Consumer Protection, Energy and the Environment; General Laws; Progress and Development; Small Business and Industry; and Transportation, Infrastructure and Public Safety.

Sincerely,



Ron Richard  
President Pro Tem

Also,

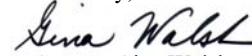
January 10, 2017

Senator Ron Richard – President Pro Tem  
State Capitol, Room 326  
Jefferson City, Missouri 65102

Dear Senator Richard:

Due to a recent resignation from the Missouri Consolidated Health Care Plan Board of Trustees, there is now one minority caucus vacancy on that board. Please consider this correspondence to be my recommendation that Senator John Rizzo be appointed to that board. Pursuant to the provisions of section 103.008, RSMo, please consider this correspondence to be my concurrence of such an appointment.

Sincerely,



Senator Gina Walsh  
Minority Floor Leader

Also,

January 11, 2017

Ms. Adriane Crouse  
Secretary of the Senate  
State Capitol Building, Room 325  
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to provisions of Section 103.008 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following Senator to the Missouri Consolidated Health Care Plan Board of Trustees.

Senator John Rizzo

Sincerely,



Ron Richard

President Pro Tem

### INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, the Physician of the Day, Han Paik, M.D., Ballwin.

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

### SENATE CALENDAR

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SIXTH DAY—THURSDAY, JANUARY 12, 2017

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### FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 197-Rowden  
SB 198-Schaaf  
SB 199-Wasson  
SB 200-Libla  
SB 201-Onder  
SB 202-Rowden  
SB 203-Sifton  
SB 204-Sifton  
SB 205-Sifton  
SB 206-Sifton  
SB 207-Sifton

SB 208-Sifton  
SB 209-Wallingford  
SB 210-Onder  
SB 211-Wasson  
SB 212-Sater  
SB 213-Rowden  
SB 214-Emery  
SB 215-Emery  
SB 216-Cunningham  
SB 217-Nasheed  
SB 218-Nasheed

SB 219-Nasheed	SB 260-Munzlinger
SB 220-Riddle	SB 261-Munzlinger
SB 221-Riddle	SB 262-Munzlinger
SB 222-Riddle	SB 263-Riddle
SB 223-Schatz	SB 264-Dixon
SB 224-Schatz	SB 265-Schatz
SB 225-Schatz	SB 266-Schatz
SB 226-Koenig	SB 267-Schatz
SB 227-Koenig	SB 268-Schupp and Walsh
SB 228-Koenig	SB 269-Cunningham
SB 229-Riddle	SB 270-Schaaf
SB 230-Riddle	SB 271-Wasson and Richard
SB 231-Schatz	SB 272-Wasson
SB 232-Schatz	SB 273-Wasson
SB 233-Wallingford	SB 274-Wieland
SB 234-Libla	SB 275-Wieland
SB 235-Eigel	SB 276-Wieland
SB 236-Schatz	SB 277-Wieland
SB 237-Rowden	SB 278-Emery
SB 238-Onder	SB 279-Kraus
SB 239-Rowden	SB 280-Hoskins
SB 240-Schatz	SB 281-Hegeman
SB 241-Schatz	SB 282-Hegeman
SB 242-Emery	SB 283-Hegeman
SB 243-Hegeman	SB 284-Hegeman
SB 244-Rowden	SB 285-Koenig
SB 245-Sater	SB 286-Rizzo
SB 246-Kraus	SB 287-Nasheed
SB 247-Kraus	SB 288-Nasheed
SB 248-Kraus	SB 289-Nasheed
SB 249-Kehoe	SB 290-Schatz
SB 250-Kehoe	SB 291-Rowden
SB 251-Kehoe	SB 292-Rowden
SB 252-Dixon	SJR 1-Schaaf
SB 253-Nasheed	SJR 2-Schaaf
SB 254-Nasheed	SJR 3-Schaaf
SB 255-Nasheed	SJR 4-Chappelle-Nadal
SB 256-Sater	SJR 5-Emery
SB 257-Hoskins	SJR 6-Emery
SB 258-Munzlinger	SJR 7-Silvey
SB 259-Munzlinger	SJR 8-Romine

SJR 9-Romine  
SJR 10-Holsman  
SJR 11-Hegeman

SJR 12-Eigel  
SJR 13-Emery  
SJR 14-Kraus

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 5-Romine

SCR 6-Walsh

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