

Journal of the Senate

FIRST REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 25, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“And those who know Your name will put their trust in You: for You, O Lord, have not forsaken those that seek You.” (Psalm 9:10)

Dear Lord, each day we hear the news that is full of trouble, with so much pain and sorrow and calls to our office seeking help for their difficulties, that it seems that is all there is. So we turn to You and know that You are near on our darkest days and there we find comfort in knowing You are present in our lives. Your presence gives us light and direction to lighten our mood and energize our efforts so we give You thanks and praise for Your being in our lives. 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.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senators Holsman and Silvey, joined by the entire membership, offered Senate Resolution No. 111, regarding Yordano Ventura of the Kansas City Royals, which was adopted.

Senator Kehoe offered Senate Resolution No. 112, regarding Jamie Binns, which was adopted.

Senator Kehoe offered Senate Resolution No. 113, regarding Rakeeb Akande, which was adopted.

Senator Kehoe offered Senate Resolution No. 114, regarding Patrick Minor, which was adopted.

Senator Kehoe offered Senate Resolution No. 115, regarding Jeffron Smalls, which was adopted.

Senator Kehoe offered Senate Resolution No. 116, regarding Kendall Gilbert, which was adopted.

Senator Kehoe offered Senate Resolution No. 117, regarding Gabriel Russell, which was adopted.

Senator Kehoe offered Senate Resolution No. 118, regarding Tevin Smith, which was adopted.

Senator Kehoe offered Senate Resolution No. 119, regarding Anthony Williams, which was adopted.

Senator Hegeman offered Senate Resolution No. 120, regarding the Fiftieth Wedding Anniversary of Dan and Georgia O'Connor, which was adopted.

Senator Sater offered Senate Resolution No. 121, regarding Beverly McCaulla, which was adopted.

Senator Wallingford offered Senate Resolution No. 122, regarding Charles L. Drury, Cape Girardeau, which was adopted.

Senator Hegeman offered Senate Resolution No. 123, regarding the Fortieth Wedding Anniversary of Kelly and Kathy Meyers, Oregon, which was adopted.

Senator Hegeman offered Senate Resolution No. 124, regarding the Fiftieth Wedding Anniversary of Duane and Mary Lou Smith, Unionville, which was adopted.

Senator Hegeman offered Senate Resolution No. 125, regarding the Fortieth Wedding Anniversary of Bruce and Leisa Biermann, Mound City, which was adopted.

Senator Cunningham offered Senate Resolution No. 126, regarding Delores Smith "Dee" Jones, Gainesville, which was adopted.

Senator Rowden offered Senate Resolution No. 127, regarding Greta McNamee, Columbia, which was adopted.

Senator Rowden offered Senate Resolution No. 128, regarding Amanda Kurukulasuriya, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 129, regarding Pastor Susan Marshall, Waynesville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wieland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, steamboats are deeply entwined in Missouri's history and culture; and

Whereas, the Delta Queen steamboat operated for many years and in many areas across the country as top of the line luxury travel, and was previously allowed to provide overnight cruises; and

Whereas, the Delta Queen steamboat has carried three different United States Presidents, and transported delegates of 51 other nations during the founding conference of the United Nations; and

Whereas, the Delta Queen is widely considered the last steamboat of its kind with overnight guest rooms; and

Whereas, the Delta Queen was once home to Mary Greene, who was one of the first women to become a licensed river pilot; and

Whereas, the Delta Queen is expected to visit over 80 different ports in the United States when it resumes operation; and

Whereas, the Delta Queen has established a home port, restaurant, and headquarters in Kimmswick, Missouri; and

Whereas, the Delta Queen Steamboat Co. has created over 170 local jobs and is expected to bring in more than \$36.4 million to the region annually; and

Whereas, resuming overnight cruises would bring even more economic benefits to the region, and create further economic growth and opportunity; and

Whereas, the Delta Queen has been designated as a “National Treasure” by the National Trust for Historic Preservation, listed on the National Register of Historic Places, and declared a National Historic Landmark; and

Whereas, the Delta Queen was named to the National Trust for Historic Preservation's “11 most endangered list” for 2016; and

Whereas, United States Senate Bill S. 89 exempts old vessels that only operate within the inland waterways from federal fire-retardant materials requirements if the owners of the vessel make annual structural alterations to at least ten percent of the areas of the vessel that are not constructed of fire-retardant materials:

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 that the United States Congress enact United States Senate Bill S. 89; and

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

INTRODUCTION OF BILLS

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

SB 342—By Holsman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

SB 343—By Libla.

An Act to repeal section 453.070, RSMo, and to enact in lieu thereof one new section relating to foster parent adoptions.

SB 344—By Nasheed.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to expungement of criminal records involving the offense of prostitution.

SB 345—By Nasheed.

An Act to amend chapters 488 and 590, RSMo, by adding thereto three new sections relating to video recorders used by law enforcement agencies.

SB 346—By Schaaf.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to appropriations for tax credits.

SB 347—By Kraus.

An Act to amend chapter 537, RSMo, by adding thereto five new sections relating to actions for damages due to exposure to asbestos.

SB 348—By Wasson.

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the technology trust fund.

SB 349—By Wasson.

An Act to repeal sections 620.2005, 620.2010, 620.2015, and 620.2020, RSMo, and to enact in lieu thereof four new sections relating to financial incentives for job creation.

SB 350—By Walsh.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 351—By Sifton.

An Act to repeal sections 556.061 and 579.020, RSMo, and to enact in lieu thereof two new sections relating to penalties for the offense of delivery of controlled substances containing heroin, with penalty provisions.

SB 352—By Sifton.

An Act to repeal sections 516.371, 537.046, 556.036, and 556.037, RSMo, and to enact in lieu thereof four new sections relating to statutes of limitations for certain offenses against a child, with existing penalty provisions.

SB 353—By Wallingford.

An Act to repeal sections 332.011 and 332.321, RSMo, and to enact in lieu thereof two new sections relating to grounds for disciplinary actions against dentists.

SB 354—By Rowden.

An Act to repeal sections 67.5092, 67.5102, and 67.5104, RSMo, and to enact in lieu thereof four new sections relating to wireless communications infrastructure.

SB 355—By Romine.

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to road signs for educational institutions.

SB 356—By Romine.

An Act to repeal section 456.4-420, RSMo, and to enact in lieu thereof one new section relating to no-contest clauses in trust instruments.

SB 357—By Wieland.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to adjustments to tax rate levies of political subdivisions.

SB 358—By Wieland.

An Act to repeal section 70.427, RSMo, and to enact in lieu thereof one new section relating to collective bargaining within the bi-state development agency.

SB 359—By Hoskins.

An Act to repeal section 311.070, RSMo, and to enact in lieu thereof one new section relating to the promotion and sale of alcoholic beverages, with existing penalty provisions.

SB 360—By Hoskins and Emery.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual public schools.

SB 361—By Hummel.

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 362—By Hummel.

An Act to repeal section 167.225, RSMo, and to enact in lieu thereof one new section relating to school instruction in Braille.

SB 363—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SJR 15—By Rizzo.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3(a) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the full funding of public elementary and secondary education.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19**, with **SS No. 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 3, Section 290.590, Lines 15-16 of said page, by striking the following: “renewal, extension, amendment, or modification in any respect” and inserting in lieu thereof the following: “**renewal or extension**”.

Senator Sifton moved that the above amendment be adopted.

Senator Hegeman assumed the Chair.

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

SA 4 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
Silvey	Walsh	Wieland—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—20	

Absent—Senators

Chappelle-Nadal	Kehoe	Romine—3				
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Absent with leave—Senators—None

Vacancies—1

Senator Walsh offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 2, Section 290.590, Lines 14-15, by striking the following: “a class C misdemeanor” and inserting in lieu thereof the following: “**an infraction for a first offense, a class D misdemeanor for a second offense, and a class C misdemeanor for a third or subsequent offense**”.

Senator Walsh moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 5**. He was joined in his request by Senators Brown, Curls, Schupp and Walsh.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schaaf	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Silvey offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 3, Section 290.590, Line 17, by inserting after all of said line the following:

“Section 1. For any labor organization that is not the exclusive representative of a bargaining unit, any employer shall recognize such labor organization as a representative of the members of the bargaining unit who have chosen the labor organization as their representative for purposes of bargaining over issues concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SA 6**. He was joined in his request by Senators Holsman, Kehoe, Munzlinger and Sifton.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Silvey	Walsh	Wieland—11			

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

President Parson assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SS No. 2** for **SB 19**. He was joined in his request by Senators Kehoe, Onder, Sater and Schatz.

SS No. 2 for **SB 19** was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Brown requested a roll call vote be taken on the perfection of **SS No. 2** for **SB 19**. He was joined in his request by Senators Eigel, Kehoe, Onder and Sater.

SS No. 2 for **SB 19** was declared perfected and ordered printed by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Kehoe, the Senate recessed until 5:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SB 19**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

January 24, 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 make the following changes to appointments to Senate Standing Committees:

Senator Jill Schupp is removed from the Appropriations Committee. I hereby appoint Senator Jason Holsman to replace her on that committee.

Senator Jason Holsman is removed from the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Holsman is also removed from the Economic Development Committee. I will replace Senator Holsman on the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Scott Sifton will replace Senator Holsman on the Economic Development Committee.

Finally, I am removing myself from the Professional Registration Committee. Senator Jill Schupp will be replacing me on that committee.

Sincerely,



Gina Walsh
Minority Floor Leader

Also,

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 Gina Walsh the Minority Floor Leader, I hereby make the following changes to appointments of the Minority Caucus members to the Senate Standing Committees:

Senator Jill Schupp is removed from the Appropriations Committee. I hereby appoint Senator Jason Holsman to replace her on that committee.

Senator Jason Holsman is removed from Commerce, Consumer Protection, Energy and the Environment Committee. Senator Holsman is also removed from the Economic Development Committee. Senator Walsh will replace Senator Holsman on the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Jill Schupp will replace Senator Holsman on the Economic Development Committee.

Finally, I remove Senator Gina Walsh from the Professional Registration Committee. Senator Jill Schupp will be replacing Senator Walsh on that Committee.

Sincerely,



Ron Richard
President Pro Tem

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 130, regarding Barbara Berner, Saint Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Silvey introduced to the Senate, representatives of Youth with Vision, Clay, Platte and Ray Counties.

On behalf of Senator Wasson and himself, Senator Kraus introduced to the Senate, Brad Cooper, Willard.

Senator Walsh introduced to the Senate, Jerry Donovan, Bellefontaine Neighbors.

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

SENATE CALENDAR

THIRTEENTH DAY—THURSDAY, JANUARY 26, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden	SB 343-Libla
SB 317-Sater	SB 344-Nasheed
SB 318-Sifton and Hummel	SB 345-Nasheed
SB 319-Hummel	SB 346-Schaaf
SB 320-Hummel	SB 347-Kraus
SB 321-Hegeman	SB 348-Wasson
SB 322-Wieland and Romine	SB 349-Wasson
SB 323-Brown	SB 350-Walsh
SB 324-Silvey	SB 351-Sifton
SB 325-Kraus	SB 352-Sifton
SB 326-Kraus	SB 353-Wallingford
SB 327-Romine	SB 354-Rowden
SB 328-Romine	SB 355-Romine
SB 329-Kehoe	SB 356-Romine
SB 330-Munzlinger	SB 357-Wieland
SB 331-Hegeman	SB 358-Wieland
SB 332-Hegeman	SB 359-Hoskins
SB 333-Schaaf	SB 360-Hoskins and Emery
SB 334-Sater	SB 361-Hummel
SB 335-Hoskins	SB 362-Hummel
SB 336-Wieland	SB 363-Chappelle-Nadal
SB 337-Wieland	SJR 1-Schaaf
SB 338-Schupp, et al	SJR 2-Schaaf
SB 339-Schupp	SJR 3-Schaaf
SB 340-Schupp	SJR 4-Chappelle-Nadal
SB 341-Nasheed	SJR 5-Emery
SB 342-Holsman	SJR 6-Emery

SJR 7-Silvey
SJR 8-Romine
SJR 9-Romine
SJR 10-Holsman
SJR 11-Hegeman

SJR 12-Eigel
SJR 13-Emery
SJR 14-Kraus
SJR 15-Rizzo

HOUSE BILLS ON SECOND READING

HB 60-Alferman

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

THIRD READING OF SENATE BILLS

SS#2 for SB 19-Brown

SENATE BILLS FOR PERFECTION

SB 21-Brown

SB 31-Emery

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

HCR 4-Bernskoetter (Kehoe)

To be Referred

SCR 11-Wieland

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