

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 20, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let us with caution indulge the supposition that morality can be maintained without religion. Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.” (George Washington)

Almighty God, on this presidents’ day we are mindful that You led the minds, hearts and spirits of those who fought for and formulated the constitution and its principles that would bring forth a new nation. Their acknowledging of Your guidance in their lives and their willingness to embrace the need of religious principles to guide the nation has continued to help us in our deliberations and the laws we pass. We are grateful that You have set down in Your word what is needful by us so we too might be faithful and connected to 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, February 16, 2017 was read and approved.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 274, regarding Nancy McCarthy, which was adopted.

Senator Wieland offered Senate Resolution No. 275, regarding Erica Schreder, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 276, regarding Kyla Greenlee, De Soto, which was adopted.

Senator Wieland offered Senate Resolution No. 277, regarding Shelby Meyer, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 278, regarding Lindsey Rich, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 279, regarding Madalyn Michael, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 280, regarding Trisha Gaylord, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 281, regarding Emma Grimshaw, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 282, regarding Jena Otec, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 283, regarding Caly Otec, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 284, regarding Elle Russell, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 285, regarding Carley Nicholson, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 286, regarding Kaylee Portell, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 287, regarding Julia Houston, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 288, regarding Aubrie Harris, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 289, regarding Sarah Wilson, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 290, regarding Dustin Cutts, Hazelwood, which was adopted.

Senator Wieland offered Senate Resolution No. 291, regarding Shannon Leftridge, Hazelwood, which was adopted.

Senator Wieland offered Senate Resolution No. 292, regarding Molly Keeven, Saint Louis, which was adopted.

Senator Wieland offered Senate Resolution No. 293, regarding the 2016 Class 2 State Champion Saint Pius X High School volleyball program, Jefferson County, which was adopted.

Senator Sater offered Senate Resolution No. 294, regarding Dennis Pyle, which was adopted.

Senator Sater offered Senate Resolution No. 295, regarding Derek Shawn Cooper, which was adopted.

Senator Sater offered Senate Resolution No. 296, regarding Robert Berger, which was adopted.

Senator Hegeman offered Senate Resolution No. 297, regarding Randy Huffman, Galt, which was adopted.

Senator Sater offered Senate Resolution No. 298, regarding the McDonald County Telephone Company, Pineville, which was adopted.

INTRODUCTION OF BILLS

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

SB 437—By Holsman.

An Act to repeal section 115.436, RSMo, and to enact in lieu thereof one new section relating to the use of voting machines by blind or visually impaired voters.

SB 438—By Holsman.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of February as earthquake awareness month.

SB 439—By Riddle.

An Act to repeal section 301.074, RSMo, and to enact in lieu thereof one new section relating to disabled veteran license plates.

SB 440—By Brown.

An Act to repeal section 172.287, RSMo, and to enact in lieu thereof one new section relating to engineering equipment grants at the University of Missouri.

SB 441—By Hegeman.

An Act to repeal sections 169.324 and 169.560, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

SB 442—By Hegeman.

An Act to repeal section 49.020, 67.617, and 71.015, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

SB 443—By Chappelle-Nadal.

An Act to repeal section 287.430, RSMo, and to enact in lieu thereof one new section relating to the statute of limitations for certain claims under workers' compensation laws.

SB 444—By Rowden.

An Act to amend chapters 143 and 443, RSMo, by adding thereto seven new sections relating to tax incentives for first-time home buyers.

SB 445—By Rowden.

An Act to repeal sections 313.905, 313.915, 313.920, 313.925, 313.935, 313.940, 313.945, 313.950, and 313.955, RSMo, and to enact in lieu thereof ten new sections relating to fantasy sports.

SB 446—By Rowden.

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to dogs.

SB 447—By Rowden.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to the division of professional registration.

REFERRALS

President Pro Tem Richard referred **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

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 **HCS** for **HB 57**, entitled:

An Act to repeal sections 557.035, 565.023, 565.024, 565.027, 569.100, 569.120, 569.140, 571.030, and 574.050, RSMo, and to enact in lieu thereof nine new sections relating to penalty enhancements for certain offenses, 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 **HBs 302 & 228**, entitled:

An Act to amend chapter 650, RSMo, by adding thereto two new sections relating to law enforcement officers, 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 230**, entitled:

An Act to repeal sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, and to enact in lieu thereof twelve new sections relating to the board of cosmetology and barber examiners.

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 126**, entitled:

An Act to repeal sections 34.203, 34.206, 34.209, 34.212, 34.216, and 34.217, RSMo, and to enact in lieu thereof six new sections relating to public contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 113**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 113**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 113

An Act to repeal section 287.780, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Was taken up.

Senator Schatz moved that **SCS** for **SB 113** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 113**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 113

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

Senator Schatz moved that **SS** for **SCS** for **SB 113** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Section 287.120, Pages 1-5, by striking said section.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Holsman, Hummel and Schupp.

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

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Lines 7-8, by striking “forty-eight hours of the injury” and inserting in lieu thereof “**eight hours of the notification of the injury to the employer**”.

Senator Holsman moved that the above amendment be adopted.

Senator Hegeman offered **SSA 1** for **SA 2**, which was read:

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

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Line 7, by striking the word “forty-eight” and inserting in lieu thereof the following: “**twenty-four**”.

Senator Hegeman moved that the above substitute amendment be adopted.

At the request of Senator Hegeman, the above substitute amendment was withdrawn.

Senator Schaaf offered **SSA 2** for **SA 2**:

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

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Lines 7-8, by striking “forty-eight hours of the injury” and inserting in lieu thereof “**eight hours of the injury**”.

Senator Schaaf moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Hummel, Schatz and Walsh.

SSA 2 for **SA 2** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

SA 2 was again taken up.

At the request of Senator Holsman, **SA 2** was withdrawn.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schatz offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Line 7, by striking the word “forty-eight” and inserting in lieu thereof the following: “**twenty-four**”.

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

At the request of Senator Schatz, **SB 113**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 16, 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:

Lieutenant Colonel Sandra K. Karsten, 4911 Wardsville Road, Jefferson City, Cole County, Missouri 65101, as Superintendent of the Missouri State Highway Patrol, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

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

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 85**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to public utility vehicles, 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 427**, entitled:

An Act to repeal sections 456.4-414 and 456.4-420, RSMo, and to enact in lieu thereof two new sections relating to trust instruments.

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 336**, entitled:

An Act to repeal section 376.620, RSMo, and to enact in lieu thereof one new section relating to life 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 **HB 58**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to perinatal care.

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 422**, entitled:

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from execution.

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 HBs 337, 259 & 575**, entitled:

An Act to repeal sections 375.1025, 375.1052, 375.1053, and 375.1056, RSMo, and to enact in lieu thereof fourteen new sections relating to financial accreditation standards for insurance companies, with a delayed effective date and a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, Eagle Scout Brandon Wheeler, and Betty and Christine Wheeler, St. Louis County.

Senator Kehoe introduced to the Senate, Haley Braun, Jefferson City.

Senator Schatz introduced to the Senate, Eagle Scout Aaron Knotts, and Don, Laura, Sam and Isaiah Knotts, Pacific; and Wayne and Mary Schafer, Sullivan.

On behalf of Senators Emery, Hegeman, Hoskins, Onder, Riddle, Richard, Rowden, Sater, Schaaf, Wallingford, Wasson and himself, Senator Munzlinger introduced to the Senate, Matthew Bippes, Shane Carroll, Madelyn Derks, Alyssa Engeman, Rachel Grubbs, Kyle Hansen, Anna Link, Emily McCann, Reed Niemeyer, Mckell Norris, Ashlyn Peterson, Hannah Rockers, Abby Schmidt, Heather Snow and Lora Wright, 2017 4-H Legislative Academy Delegates.

Senator Curls introduced to the Senate, former President of the Colorado State Senate, Senator Peter Groff.

Senator Brown introduced to the Senate, Eagle Scout Jeremy Dalton, and his father, Richard, Rolla.

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

SENATE CALENDAR

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 21, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 423-Sater	SB 436-Curls
SB 424-Holsman	SB 437-Holsman
SB 425-Sifton	SB 438-Holsman
SB 426-Wasson	SB 439-Riddle
SB 427-Wasson	SB 440-Brown
SB 428-Eigel	SB 441-Hegeman
SB 429-Rowden	SB 442-Hegeman
SB 430-Cunningham	SB 443-Chappelle-Nadal
SB 431-Emery	SB 444-Rowden
SB 432-Koenig	SB 445-Rowden
SB 433-Sater	SB 446-Rowden
SB 434-Sater	SB 447-Rowden
SB 435-Cunningham	

HOUSE BILLS ON SECOND READING

HCS for HB 57	HB 126-Vescovo
HCS for HBs 302 & 228	HB 85-Redmon
HCS for HB 230	HCS for HB 427

HB 336-Shull
HB 58-Haefner

HCS for HB 422
HCS for HBs 337, 259 & 575

THIRD READING OF SENATE BILLS

SB 45-Romine

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------------------|-----------------------------------|
| 1. SBs 37 & 244-Silvey, with SCS | 34. SB 124-Wasson |
| 2. SB 74-Schaaf, with SCS | 35. SB 35-Cunningham |
| 3. SB 43-Romine, with SCS | 36. SB 114-Schatz |
| 4. SB 66-Schatz, with SCS | 37. SB 247-Kraus, with SCS |
| 5. SB 189-Kehoe, with SCS | 38. SB 325-Kraus |
| 6. SB 28-Sater, with SCS | 39. SBs 285 & 17-Koenig, with SCS |
| 7. SB 139-Sater, with SCS | 40. SB 160-Sater, with SCS |
| 8. SB 20-Brown | 41. SB 41-Wallingford and Emery |
| 9. SB 6-Richard, with SCS | 42. SB 67-Onder, et al |
| 10. SB 11-Wasson, with SCS | 43. SB 195-Koenig |
| 11. SB 228-Koenig | 44. SB 18-Kraus |
| 12. SB 62-Hegeman | 45. SB 290-Schatz, with SCS |
| 13. SBs 314 & 340-Schatz and Nasheed,
with SCS | 46. SB 330-Munzlinger |
| 14. SB 34-Cunningham | 47. SBs 44 & 63-Romine, with SCS |
| 15. SB 65-Schatz | 48. SB 328-Romine, with SCS |
| 16. SB 185-Onder, et al, with SCS | 49. SB 188-Munzlinger, with SCS |
| 17. SB 10-Wasson and Richard, with SCS | 50. SB 102-Cunningham, with SCS |
| 18. SB 199-Wasson | 51. SB 303-Wieland, with SCS |
| 19. SB 349-Wasson | 52. SB 49-Walsh, with SCS |
| 20. SB 293-Romine | 53. SB 147-Romine |
| 21. SB 190-Emery and Nasheed, with SCS | 54. SJR 9-Romine, with SCS |
| 22. SB 184-Emery | 55. SB 122-Munzlinger, with SCS |
| 23. SB 22-Chappelle-Nadal | 56. SB 227-Koenig, with SCS |
| 24. SB 32-Emery, with SCS | 57. SB 210-Onder, with SCS |
| 25. SB 258-Munzlinger | 58. SB 220-Riddle, with SCS |
| 26. SB 259-Munzlinger | 59. SB 97-Sater, with SCS |
| 27. SB 260-Munzlinger | 60. SB 176-Dixon |
| 28. SB 261-Munzlinger | 61. SB 13-Dixon |
| 29. SB 262-Munzlinger | 62. SB 177-Dixon, with SCS |
| 30. SB 213-Rowden, with SCS | 63. SB 68-Onder and Nasheed |
| 31. SB 123-Munzlinger | 64. SB 126-Wasson |
| 32. SB 283-Hegeman | 65. SB 221-Riddle |
| 33. SB 284-Hegeman, with SCS | 66. SB 83-Dixon |
| | 67. SB 99-Emery |

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|---------------------------------------|---------------------------|
| 68. SB 171-Dixon and Sifton, with SCS | 72. SB 178-Dixon |
| 69. SB 158-Dixon | 73. SB 204-Sifton |
| 70. SB 157-Dixon, with SCS | 74. SB 84-Kraus, with SCS |
| 71. SB 81-Dixon | 75. SB 163-Romine |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------|--------------------------------------|
| SB 5-Richard | SB 113-Schatz, with SCS & SS for SCS |
| SB 21-Brown | (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/16

- | | |
|-------------------------------------|-----------------------------------|
| SB 309-Walsh and Onder, with SCS | SB 326-Kraus |
| SB 229-Riddle, with SCS | SB 275-Wieland |
| SB 50-Walsh | SB 376-Hoskins |
| SB 194-Wallingford | SB 252-Dixon, with SCS |
| SB 25-Curls | SB 128-Dixon, with SCS |
| SB 225-Schatz | SB 129-Dixon and Sifton, with SCS |
| SB 322-Wieland and Romine, with SCS | SB 142-Emery |
| SB 217-Nasheed, with SCS | SB 299-Curls |
| SB 88-Brown, with SCS | |

RESOLUTIONS

- SR 197-Richard

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