

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, FEBRUARY 28, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom is better than might;..” (Ecclesiastes 9:13-18)

Gracious God we ask that You grant us wisdom in these unusual and uncertain times. Show us the path of Your faithful servants and grant us courage to follow that path. 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

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, allowing retail customers of electric generation to have access to competitive suppliers of retail electricity is being considered by many states, and has already been implemented in several other states; and

Whereas, the ability of Missouri citizens and businesses to compete in the global market may be harmed unless they have access to reliable electrical power at rates and on terms which are competitive with rates and terms in others states; and

Whereas, legislation designed to implement retail competition and an associated restructuring of the electric utility industry will require a careful examination of existing law, and the provisions of that legislation must take into account a variety of issues and factors:

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 create the Task Force on Retail Electric Competition and the Restructuring of the Electric Utility Industry; and

Be It Further Resolved that the mission of the task force shall be to fully consider and make recommendations in a report to the General Assembly on:

(1) The method, feasibility, and impact of implementing retail electric competition on Missouri generators of electricity and Missouri consumers of electricity;

(2) The costs and benefits other states have experienced as a result of retail electric competition;

(3) The taxation and regulatory issues associated with restructuring the electric utility industry;

(4) The social, environmental, and other public service functions provided by the regulated electric utility industry to determine the potential impact of retail electric competition on these functions;

(5) Whether, and under what terms, retail electric competition should be offered in Missouri; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of the following members:

(1) One member of the senate of the majority party appointed by the president pro tempore of the senate, to serve as the chair of the task force;

(2) One member of the house of representatives of the majority party appointed by the speaker of the house of representatives, to serve as the vice chair and secretary of the task force, and who will provide an agenda and report minutes of the task force;

(3) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate;

(4) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives;

(5) The Office of the Public Counsel, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(6) The Director of the Division of Energy, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(7) The Chair of the Public Service Commission, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(8) A representative from each of the three segments of the retail electric industry appointed by the president pro tempore of the senate from the respective nominees submitted by the statewide associations of the investor-owned electric utilities, rural electric cooperatives, and municipally-owned electric utilities;

(9) A representative of retail electric consumers appointed by the speaker of the house of representatives;

(10) Two members representing the renewable energy industry appointed by the Chair of the Public Service Commission;

(11) Two members appointed by the Chair of the Public Service Commission representing each of the regional transmission organizations whose coverage area includes Missouri: Southwest Power Pool and Midcontinental Independent System Operator; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the task force; and

Be It Further Resolved that the chair or vice chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2018, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly; and

Be It Further Resolved that this resolution does not amend any state law to which any retail electric generator or consumer is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Office of Public Counsel, the Division of Energy, and the Chair of the Public Service Commission.

Senator Rizzo offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, Missouri residents with disabilities are deserving of having the same choice of where, how, and with whom they work and spend their time as other Missouri residents; and

Whereas, Missouri sheltered workshops, in partnership with business and industry, are an integral part of their local communities and their economies; and

Whereas, programs and employment offered by Missouri's sheltered workshops, through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments provide Missouri residents with disabilities the opportunity to meet new people, gain new skills, and earn the respect, dignity, and other ancillary human benefits that come with earning a paycheck and making a contribution to society; and

Whereas, approximately 6,000 Missouri residents with disabilities avail themselves of the opportunity to participate in these programs and related employment; and

Whereas, the parents, guardians, and caregivers of many of these participants support and attest to the benefits of these programs and the employment provided under them; and

Whereas, individuals with disabilities should be free to choose the settings in which they receive services or employment, including programs and employment offered by Missouri's sheltered workshops through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments:

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 reaffirm Missouri's support of the services of the sheltered workshops of our state.

INTRODUCTION OF BILLS

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

SB 488—By Kehoe.

An Act to authorize the conveyance of certain state properties.

SB 489—By Schatz.

An Act to repeal section 260.370, RSMo, and to enact in lieu thereof two new sections relating to the regulation of coal combustion residual units.

SB 490—By Schupp.

An Act to repeal sections 337.020, 337.030, 337.050, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof thirteen new sections relating to suicide prevention training for health care professionals.

SB 491—By Silvey and Holsman.

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to high school graduation requirements.

SB 492—By Hegeman.

An Act to repeal sections 301.213, 301.559, 301.560, 301.562, and 301.566, RSMo, and to enact in lieu thereof five new sections relating to motor vehicle dealers, with existing penalty provisions.

SB 493—By Hegeman.

An Act to amend chapter 404, RSMo, by adding thereto ten new sections relating to the appointment of a designated health care decision-maker.

SB 494—By Riddle.

An Act to repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

SB 495—By Riddle.

An Act to repeal sections 190.200 and 190.241, RSMo, and to enact in lieu thereof three new sections relating to emergency services.

SB 496—By Nasheed.

An Act to amend chapter 314, RSMo, by adding thereto four new sections relating to discriminatory practices against persons convicted of certain offenses.

SB 497—By Nasheed.

An Act to amend chapter 561, RSMo, by adding thereto one new section relating to the court disclosing certain consequences prior to accepting a guilty plea.

SB 498—By Nasheed.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to truancy.

SB 499—By Onder.

An Act to repeal section 577.012, RSMo, and to enact in lieu thereof one new section relating to the offense of driving with prohibited blood alcohol or drug content, with penalty provisions.

SB 500—By Emery.

An Act to repeal section 167.775, RSMo, and to enact in lieu thereof one new section relating to the participation of home school students in public school activities.

SB 501—By Sater.

An Act to repeal section 338.010, RSMo, and to enact in lieu thereof one new section relating to pharmacist vaccine protocol.

SB 502—By Munzlinger.

An Act to repeal section 382.278, RSMo, relating to insurance holding companies engaged in agricultural operations.

SB 503—By Munzlinger.

An Act to repeal section 650.330, RSMo, and to enact in lieu thereof one new section relating to the designation of a state 911 coordinator, with an emergency clause.

SB 504—By Rowden.

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

SB 505—By Rowden.

An Act to repeal section 143.041, RSMo, and to enact in lieu thereof one new section relating to taxation.

Senator Richard moved that the appointment of Lateacha Tigue, as a member of the St. Louis City Board of Election Commissioners, appearing on page 358 of the Senate Journal for Monday, February 27, 2017, be returned to the Governor, per his request, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

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

Photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 43**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Hegeman assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Riddle assumed the Chair.

Senator Onder assumed the Chair.

The Senate observed a moment of silence for the Perryville tornado victims.

Senator Riddle assumed the Chair.

Senator Schupp moved that **SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

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

NAYS—Senators

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

Absent—Senators

Chappelle-Nadal Schaaf Schatz—3

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Romine, **SS** for **SCS** for **SB 43** was withdrawn.

Senator Romine offered **SS No. 2** for **SCS** for **SB 43**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.075, 213.101, and 213.111, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

Senator Romine moved that **SS No. 2** for **SCS** for **SB 43** be adopted, which motion prevailed.

On motion of Senator Romine, **SS No. 2** for **SCS** for **SB 43**, was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Jill Gamlin, Brooke Rains, Dana Martin, Patrick Perry, Casey Neuner, Lila Porter, Brandon Fletcher, Katy Bridgeman, Kaitlyn Davidson, Savannah Dollinger, Ricky Morris, David Rice, Jordan Woodall and Megan Adams.

Senator Onder introduced to the Senate, representatives of the National Academy of Elder Law Attorneys.

Senator Richard introduced to the Senate, President Dr. Jennifer Methvin; and Andy Wood, Jack and Diane Andris, Grant Phillips, Amy Rand, Tiffany Slinkard, Dr. Melissa Oates, Melissa Smith, Eddie Stephens, Curtis Daniels and Jeri Phillips, representatives of Crowder College.

Senator Eigel introduced to the Senate, former State Representative Joe Smith, and his son, Benjamin, St. Charles County; and Benjamin was made an honorary page.

Senator Nasheed introduced to the Senate, Sandra Zambrana.

Senator Eigel introduced to the Senate, Mrs. Williams and third-grade students from Lincoln Elementary School, St. Charles.

Senator Schupp introduced to the Senate, representatives of the American Civil Liberties Union.

The President introduced to the Senate, Chris McClay, Craig Huff, Aaron Tallart, Jared Taylor, Bev Derrickson, Charlie Soto, Sandy Duffield, Stacey Velez, Mike Sly, Denver Miller and Shawn Cook, Leadership Bolivar.

Senator Walsh introduced to the Senate, former State Representative Trent Skaggs, and his daughter, Ella, Kansas City.

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

SENATE CALENDAR

THIRTY-SECOND DAY—WEDNESDAY, MARCH 1, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 453-Sater	SB 480-Kraus
SB 454-Hoskins	SB 481-Sifton
SB 455-Rowden	SB 482-Sifton
SB 456-Rowden	SB 483-Holsman
SB 457-Eigel	SB 484-Koenig
SB 458-Holsman	SB 485-Hoskins
SB 459-Holsman	SB 486-Kehoe
SB 460-Holsman	SB 487-Curls
SB 461-Holsman	SB 488-Kehoe
SB 462-Sifton	SB 489-Schatz
SB 463-Kehoe	SB 490-Schupp
SB 464-Emery	SB 491-Silvey and Holsman
SB 465-Emery	SB 492-Hegeman
SB 466-Emery	SB 493-Hegeman
SB 467-Schupp	SB 494-Riddle
SB 468-Hegeman	SB 495-Riddle
SB 469-Schatz	SB 496-Nasheed
SB 470-Cunningham	SB 497-Nasheed
SB 471-Hummel	SB 498-Nasheed
SB 472-Hoskins	SB 499-Onder
SB 473-Rowden	SB 500-Emery
SB 474-Schatz	SB 501-Sater
SB 475-Schatz	SB 502-Munzlinger
SB 476-Schatz	SB 503-Munzlinger
SB 477-Riddle	SB 504-Rowden
SB 478-Silvey and Holsman	SB 505-Rowden
SB 479-Kraus	SJR 18-Curls

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 288-Fitzpatrick
HCS for HB 138	HB 655-Engler
HCS for HB 662	

THIRD READING OF SENATE BILLS

SS for SCS for SB 74-Schaaf
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|---------------------------------------|
| 1. SB 66-Schatz, with SCS | 38. SB 41-Wallingford and Emery |
| 2. SB 189-Kehoe, with SCS | 39. SB 67-Onder, et al |
| 3. SB 28-Sater, with SCS | 40. SB 195-Koenig |
| 4. SB 139-Sater, with SCS | 41. SB 18-Kraus |
| 5. SB 20-Brown | 42. SB 290-Schatz, with SCS |
| 6. SB 6-Richard, with SCS | 43. SB 330-Munzlinger |
| 7. SB 11-Wasson, with SCS | 44. SBs 44 & 63-Romine, with SCS |
| 8. SB 228-Koenig | 45. SB 328-Romine, with SCS |
| 9. SB 62-Hegeman | 46. SB 188-Munzlinger, with SCS |
| 10. SBs 314 & 340-Schatz, et al, with SCS | 47. SB 102-Cunningham, with SCS |
| 11. SB 34-Cunningham | 48. SB 303-Wieland, with SCS |
| 12. SB 65-Schatz | 49. SB 49-Walsh, with SCS |
| 13. SB 185-Onder, et al, with SCS | 50. SB 147-Romine |
| 14. SB 10-Wasson and Richard, with SCS | 51. SJR 9-Romine, with SCS |
| 15. SB 199-Wasson | 52. SB 122-Munzlinger, with SCS |
| 16. SB 349-Wasson | 53. SB 227-Koenig, with SCS |
| 17. SB 293-Romine | 54. SB 210-Onder, with SCS |
| 18. SB 190-Emery and Nasheed, with SCS | 55. SB 220-Riddle, with SCS |
| 19. SB 184-Emery | 56. SB 97-Sater, with SCS |
| 20. SB 22-Chappelle-Nadal | 57. SB 176-Dixon |
| 21. SB 32-Emery, with SCS | 58. SB 13-Dixon |
| 22. SB 258-Munzlinger | 59. SB 177-Dixon, with SCS |
| 23. SB 259-Munzlinger | 60. SB 68-Onder and Nasheed |
| 24. SB 260-Munzlinger | 61. SB 126-Wasson |
| 25. SB 261-Munzlinger | 62. SB 221-Riddle |
| 26. SB 262-Munzlinger | 63. SB 83-Dixon |
| 27. SB 213-Rowden, with SCS | 64. SB 99-Emery |
| 28. SB 123-Munzlinger | 65. SB 171-Dixon and Sifton, with SCS |
| 29. SB 283-Hegeman | 66. SB 158-Dixon |
| 30. SB 284-Hegeman, with SCS | 67. SB 157-Dixon, with SCS |
| 31. SB 124-Wasson | 68. SB 81-Dixon |
| 32. SB 35-Cunningham | 69. SB 178-Dixon |
| 33. SB 114-Schatz | 70. SB 204-Sifton |
| 34. SB 247-Kraus, with SCS | 71. SB 84-Kraus, with SCS |
| 35. SB 325-Kraus | 72. SB 163-Romine |
| 36. SBs 285 & 17-Koenig, with SCS | 73. SB 242-Emery, with SCS |
| 37. SB 160-Sater, with SCS | |

HOUSE BILLS ON THIRD READING

HB 251-Taylor, with SCS (Onder)

HCS for HB 130, with SCS (Onder)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 21-Brown

SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 309-Walsh and Onder, with SCS
SB 229-Riddle, with SCS
SB 50-Walsh
SB 194-Wallingford
SB 25-Curls
SB 225-Schatz

SB 322-Wieland and Romine, with SCS
SB 217-Nasheed, with SCS
SB 326-Kraus
SB 252-Dixon, with SCS
SB 128-Dixon, with SCS
SB 299-Curls

RESOLUTIONS

SR 197-Richard

Reported from Committee

SR 270-Kraus

To be Referred

SCR 19-Emery

SCR 20-Rizzo

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