

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-SIXTH DAY—WEDNESDAY, MARCH 8, 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 put their trust in You, for You, O Lord, have not forsaken those who seek You.” (Psalm 9:10)

Almighty God, You are the giver of all good things, the wherewithals of life You provide daily. You give us faith that must be mined, explored and understood for it then sustains us; inspire us and provide us with a trust in You so we may lead as You give us guidance. Help us to do what is the most loving thing we can for others, increase our appreciation for our staff who are there for us and direct us to provide laws that are truly helpful for our people. 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.

**RESOLUTIONS**

Senator Kraus offered Senate Resolution No. 422, regarding the 2016-2017 Class 2 State Champion Oak Grove High School Panthers wrestling program, which was adopted.

Senator Kehoe offered Senate Resolution No. 423, regarding the American Red Cross of Central and Northern Missouri, which was adopted.

Senator Hegeman requested unanimous consent of the Senate to withdraw **SB 529**, which request was granted.

**HOUSE BILLS ON THIRD READING**

At the request of Senator Onder, **HB 251**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 130**, with **SCS**, introduced by Representative Mathews, entitled:

An Act to amend chapter 387, RSMo, by adding thereto twenty-two new sections relating to transportation network companies, with penalty provisions.

Was taken up by Senator Onder.

**SCS for HCS for HB 130**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 130

An Act to repeal section 67.1819, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation network companies, with penalty provisions.

Was taken up.

Senator Onder moved that **SCS for HCS for HB 130** be adopted.

Senator Onder offered **SS for SCS for HCS for HB 130**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 130

An Act to repeal section 67.1819, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation network companies, with penalty provisions.

Senator Onder moved that **SS for SCS for HCS for HB 130** be adopted.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 11, Section 387.430, Line 16 of said page, by inserting after all of said line the following:

**“5. (1) Notwithstanding any other provision of law, no municipality or other local or state entity may impose a nongenerally applied tax on a taxicab, limousine, or for-hire vehicle as defined in chapter 390, or on a car rental company or rental agreement as defined in chapter 407.**

**(2) Nothing in this section shall prohibit a business license fee imposed on car rental agencies to fund a downtown arena in any home rule city with more than four hundred thousand inhabitants and located in more than one county.”.**

Senator Onder moved that the above amendment be adopted.

Senator Silvey offered **SA 1 to SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 1, Lines 8-9, by striking the words “business license”.

Senator Silvey moved that the above amendment be adopted.

At the request of Senator Onder, **SA 1** was withdrawn, rendering **SA 1 to SA 1** moot.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 1, Section A, Line 7 of said page, by inserting after all of said line the following:

“67.1809. 1. The regional taxicab commission established under section 67.1804 may license, supervise, and regulate any person who engages in the business of transporting passengers in commerce, wholly within the regional taxicab district established in section 67.1802, in any motor vehicle designed or used to transport not more than eight passengers, including the driver. The powers granted to the regional taxicab commission under this section shall apply to the motor vehicles described in this subsection and to the persons owning or operating those vehicles:

(1) Whether or not the vehicles are equipped with a taximeter or use a taximeter; and

(2) Whether the vehicles are operated by a for-hire motor carrier of passengers or by a private motor carrier of passengers not for hire or compensation.

2. This section shall apply, notwithstanding any provisions of this chapter or of subsection 2 of section 390.126 to the contrary, except that the vehicles described in subsection 1 of this section, and the operators of such vehicles, shall be licensed, supervised, and regulated by the state highways and transportation commission, as provided under section 226.008, instead of the regional taxicab commission, whenever:

(1) Such motor vehicles transport passengers within the district in interstate commerce, and those interstate operations are subject to the powers of the state highways and transportation commission under section 226.008;

(2) Such motor vehicles are operated exclusively by a not-for-profit corporation or governmental entity, whose passenger transportation within the regional taxicab district is subsidized, wholly or in part, with public transit funding provided by the state highways and transportation commission, the Federal Transit Administration, or both;

(3) Such vehicles transport one or more passengers on the public highways in a continuous journey from a place of origin within the regional taxicab district to a destination outside the district, or from a place of origin outside the district to a destination within the district, either with or without a return trip to the point

of origin. Such continuous transportation of passengers between points within and without the district is subject to regulation by the state highways and transportation commission, even if the journey includes temporary stops at one or more intermediate destinations within the boundaries of the district.

3. The provisions of subdivision (3) of subsection 2 of this section shall not limit the powers of the regional taxicab commission under this section to license, supervise, and regulate the transportation of any passenger whose journey by motor vehicle takes place wholly within the regional taxicab district, even if transported on the same vehicle with other passengers whose transportation, both within and without the boundaries of the district, is subject to the exclusive powers of the state highways and transportation commission. A motor carrier or driver who transports passengers subject to the powers of the regional taxicab commission, under subsection 1 of this section, on the same vehicle with passengers whose transportation is subject to the powers of the state highways and transportation commission, under subsection 2 of this section, shall comply with all applicable requirements of the regional taxicab commission and with all applicable requirements of the state highways and transportation commission.

4. No provision within this chapter shall be interpreted or construed as limiting the powers of the state highways and transportation commission and its enforcement personnel, the state highway patrol and its officers and personnel, or any other law enforcement officers or peace officers to enforce any safety requirements or hazardous materials regulations made applicable by law to the motor vehicles, drivers, or persons that own or operate any motor vehicles described in this section.

5. Every individual person, partnership, or corporation subject to licensing, regulation, and supervision by the regional taxicab commission under this section, with reference to any transportation of passengers by a motor vehicle previously authorized by a certificate or permit issued by the state highways and transportation commission under section 390.051 or 390.061, which certificate or permit was in active status and not suspended or revoked on August 27, 2005, according to the records of the state highways and transportation commission, is hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission, and the vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission to operate and engage in the transportation of passengers within the regional taxicab district, to the same extent as they formerly were licensed, permitted, and authorized by the highways and transportation commission on August 27, 2005. Such motor carriers, drivers, and vehicles shall be exempted from applying for any license, certificate, permit, or other credential issued or required by the regional taxicab commission under sections 67.1800 to 67.1822, except that the regional taxicab commission may, after December 31, 2005, require such motor carriers and drivers to apply and pay the regular fees for annual renewals of such licenses, permits, certificates, or other credentials under uniform requirements applicable to all motor carriers, vehicles, and drivers operating within the regional taxicab district.

**6. Nothing in sections 67.1800 to 67.1822 shall be construed as granting the regional taxicab commission the authority to license, supervise, or regulate medical transportation.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 11, Section 387.430, Line 16 of said page, by inserting after all of said line the following:

**“5. (1) Notwithstanding any other provision of law, no municipality or other local or state entity may impose a nongenerally applied tax on a taxicab, limousine, or for-hire vehicle as defined in chapter 390, or on a car rental company or rental agreement as defined in chapter 407.**

**(2) Nothing in this section shall prohibit a fee imposed on car rental agencies in any home rule city with more than four hundred thousand inhabitants and located in more than one county.”**

Senator Schaaf moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Silvey raised the point of order that **SA 3** goes beyond the scope of the title of the bill. The point of order was referred to the President Pro Tem.

At the request of Senator Schaaf, **SA 3** was withdrawn, rendering the point of order moot.

Senator Rizzo offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 13, Section 387.438, Line 15, by inserting after all of said line the following:

**“387.439. 1. (1) A TNC shall not deny or manipulate access to its digital network or engage in any deceptive, manipulative, or coordinated practice to evade a law enforcement entity, including by canceling a ride request by a rider or prospective rider relating to association with a law enforcement entity.**

**(2) A first violation of this subsection shall be punishable by a fine of fifty thousand dollars. A second violation of this subsection shall be punishable by a fine of one hundred fifty thousand dollars. A third or subsequent violation of this subsection shall be punishable by a fine of three hundred thousand dollars.**

**2. A TNC shall not produce or operate, or allow to be produced or operated, any digital network or similar technology that falsely displays the number of TNC vehicles available to provide prearranged rides for the purpose of misleading riders or potential riders about the number of TNC vehicles available to provide such rides.**

**3. A TNC shall not use geographic location or geolocation data of a rider or prospective rider for the purpose of excluding certain areas on the basis of the income, racial, or ethnic composition of such area.**

**4. A violation of this section shall be punishable by a one month suspension of the TNC's license.”;**  
and

Further amend the title and enacting clause accordingly.

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

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

At the request of Senator Onder, **HCS for HB 130**, with **SCS** and **SS for SCS** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS for SB 34**; and **SB 65** begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### **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 122**, entitled:

An Act to repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine 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 **HCS for HB 353**, entitled:

An Act to repeal sections 115.117, 115.124, and 115.125, RSMo, and to enact in lieu thereof three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **COMMUNICATIONS**

Senator Schaaf submitted the following:

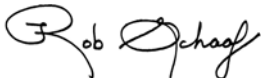
March 8, 2017

Adriane Crouse  
Secretary of the Senate  
State Capitol, Rm. 325  
201 W. Capitol Avenue  
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Rule 45, I object to the placement of SB 353 on the Senate Consent Calendar and respectfully request it be removed.

Sincerely,



Rob Schaaf

**INTRODUCTION OF GUESTS**

Senator Kehoe introduced to the Senate, Danny Kehoe, and his son, Ben; and teacher Mrs. Grothoff, parents and 22 fourth grade students from St. Francis Xavier Catholic School, Taos.

Senator Dixon introduced to the Senate, Amy Unser, Breanne Schnabel, Brian Drane, Brittney Mickelson, Chris Barboa, Jill San Paolo, Katie Carlisle, Kendal Dingus, Melanie Setser, Michael Floyd, Missy Montgomery, Ryan Cosby, Samantha Wheeler, Terri Choate, Teri Cantwell, Amy Sharp, Cathy Smith, David Thater, Marita Thomas, Barbra Wallace, Joselyn Baldner and Russ Marquart, representatives of Central Connect Leadership Class.

Senator Schaaf introduced to the Senate, teacher Derek Frieling; and Brynne Dobosz, Kylie Ralston, Ashton Pilgram, Bailee Culver and Trinity Issacs, Lafayette High School, St. Joseph.

Senator Riddle introduced to the Senate, constituents from the 10<sup>th</sup> Senatorial District.

Senator Nasheed introduced to the Senate, former State Senator Robin Wright-Jones; and representatives of Empower Missouri, St. Louis.

Senator Sifton introduced to the Senate, representatives of Leadership St. Louis Class of 2016-2017.

Senator Wasson introduced to the Senate, Candis and Mark Buxton, and their son, Josh, Strafford; Jackson Dascher, Highlandville; Kruz Jackson, Fair Grove; and William Bruner, Republic, eighth grade students at Lighthouse Christian Academy.

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

**SENATE CALENDAR**

---

THIRTY-SEVENTH DAY—THURSDAY, MARCH 9, 2017

---

**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

SB 506-Silvey	SB 518-Emery
SB 507-Nasheed	SB 519-Emery
SB 508-Nasheed	SB 520-Emery
SB 509-Dixon	SB 521-Kraus
SB 510-Dixon	SB 522-Sifton
SB 511-Dixon	SB 523-Sater
SB 512-Dixon	SB 524-Koenig
SB 513-Dixon	SB 525-Riddle
SB 514-Onder	SB 526-Brown
SB 515-Munzlinger	SB 527-Brown
SB 516-Munzlinger	SB 528-Hegeman
SB 517-Wasson	SB 530-Hegeman

SB 531-Hoskins  
 SB 532-Hoskins  
 SB 533-Eigel  
 SB 534-Eigel  
 SB 535-Wallingford  
 SB 536-Wallingford  
 SB 537-Chappelle-Nadal

SB 538-Chappelle-Nadal  
 SB 539-Chappelle-Nadal  
 SB 540-Curls  
 SB 541-Schupp  
 SB 542-Schatz  
 SB 543-Schatz  
 SB 544-Rowden

#### HOUSE BILLS ON SECOND READING

HCS for HB 115  
 HCS for HB 138  
 HCS for HB 662  
 HB 288-Fitzpatrick  
 HB 655-Engler  
 HCS for HB 50  
 HB 94-Lauer  
 HCS for HB 451  
 HB 93-Lauer  
 HB 289-Fitzpatrick

HCS for HB 225  
 HCS for HB 292  
 HB 207-Fitzwater  
 HB 493-Bondon  
 HB 169-Curtman  
 HCS for HB 661  
 HB 700-Cookson  
 HCS for HB 122  
 HCS for HB 353

#### THIRD READING OF SENATE BILLS

SS for SCS for SB 66-Schatz  
 (In Fiscal Oversight)  
 SS for SB 62-Hegeman  
 SCS for SB 11-Wasson

SCS for SB 139-Sater  
 (In Fiscal Oversight)  
 SS for SB 34-Cunningham  
 SB 65-Schatz

#### SENATE BILLS FOR PERFECTION

1. SB 10-Wasson and Richard, with SCS
2. SB 199-Wasson
3. SB 349-Wasson
4. SB 293-Romine
5. SB 190-Emery and Nasheed, with SCS
6. SB 184-Emery
7. SB 22-Chappelle-Nadal
8. SB 32-Emery, with SCS
9. SB 258-Munzlinger
10. SB 259-Munzlinger
11. SB 260-Munzlinger
12. SB 261-Munzlinger

13. SB 262-Munzlinger
14. SB 213-Rowden, with SCS
15. SB 123-Munzlinger
16. SB 283-Hegeman
17. SB 284-Hegeman, with SCS
18. SB 124-Wasson
19. SB 35-Cunningham
20. SB 114-Schatz
21. SB 247-Kraus, with SCS
22. SB 325-Kraus
23. SBs 285 & 17-Koenig, with SCS
24. SB 160-Sater, with SCS



25. SB 41-Wallingford and Emery
26. SB 67-Onder, et al
27. SB 195-Koenig
28. SB 18-Kraus
29. SB 290-Schatz, with SCS
30. SB 330-Munzlinger
31. SBs 44 & 63-Romine, with SCS
32. SB 328-Romine, with SCS
33. SB 188-Munzlinger, with SCS
34. SB 102-Cunningham, with SCS
35. SB 303-Wieland, with SCS
36. SB 49-Walsh, with SCS
37. SB 147-Romine
38. SJR 9-Romine, with SCS
39. SB 122-Munzlinger, with SCS
40. SB 227-Koenig, with SCS
41. SB 210-Onder, with SCS
42. SB 220-Riddle, with SCS
43. SB 97-Sater, with SCS
44. SB 176-Dixon
45. SB 13-Dixon
46. SB 177-Dixon, with SCS
47. SB 68-Onder and Nasheed
48. SB 126-Wasson
49. SB 221-Riddle
50. SB 83-Dixon
51. SB 99-Emery
52. SB 171-Dixon and Sifton, with SCS
53. SB 158-Dixon
54. SB 157-Dixon, with SCS
55. SB 81-Dixon
56. SB 178-Dixon
57. SB 204-Sifton
58. SB 84-Kraus, with SCS
59. SB 163-Romine
60. SB 242-Emery, with SCS
61. SB 371-Schaaf
62. SB 333-Schaaf, with SCS
63. SB 295-Schaaf, with SCS
64. SB 409-Koenig
65. SB 141-Emery
66. SB 203-Sifton, with SCS
67. SB 410-Schatz
68. SB 368-Rowden
69. SB 331-Hegeman
70. SB 348-Wasson
71. SB 406-Wasson and Sater
72. SB 142-Emery
73. SB 129-Dixon and Sifton, with SCS
74. SB 96-Sater and Emery
75. SB 103-Wallingford
76. SB 196-Koenig
77. SB 230-Riddle
78. SB 88-Brown, with SCS
79. SB 200-Libla
80. SB 201-Onder, with SCS
81. SB 183-Hoskins, with SCS
82. SB 130-Kraus, with SCS
83. SB 80-Wasson, with SCS
84. SB 250-Kehoe
85. SJR 12-Eigel
86. SB 144-Wallingford
87. SB 280-Hoskins, with SCS
88. SB 115-Schupp, with SCS
89. SB 362-Hummel
90. SB 298-Curls
91. SB 234-Libla, with SCS
92. SB 442-Hegeman
93. SB 76-Munzlinger
94. SB 389-Sater, with SCS
95. SB 286-Rizzo
96. SB 267-Schatz, with SCS
97. SB 383-Eigel and Wieland
98. SB 336-Wieland
99. SB 223-Schatz, with SCS
100. SB 263-Riddle
101. SB 243-Hegeman
102. SB 156-Munzlinger, with SCS
103. SB 85-Kraus, with SCS
104. SB 180-Nasheed, with SCS
105. SB 233-Wallingford
106. SB 61-Hegeman, with SCS
107. SJR 11-Hegeman, with SCS
108. SB 358-Wieland
109. SB 316-Rowden, with SCS
110. SB 376-Hoskins
111. SB 252-Dixon, with SCS

## HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)

HB 153-Corlew (Libla)

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 6-Richard, with SCS

SB 20-Brown

SB 21-Brown

SB 28-Sater, with SCS (pending)

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

SB 185-Onder, et al, with SCS

SB 189-Kehoe, with SCS

SB 228-Koenig, with SS &amp; SA 1 (pending)

SBs 314 &amp; 340-Schatz, et al, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 130, with SCS & SS for SCS  
(pending) (Onder)

HB 251-Taylor, with SCS (Onder)

## CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel

SB 394-Romine

SB 334-Sater, with SCS

SB 363-Chappelle-Nadal

SB 279-Kraus, with SCS

SB 332-Hegeman

SB 93-Curls, with SCS

SB 112-Schatz, with SCS

SB 366-Koenig

SB 302-Wieland

SB 222-Riddle

SB 282-Hegeman

SB 329-Kehoe

## RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

✓