

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY—MONDAY, APRIL 3, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Conduct yourselves wisely toward outsiders, making the most of the time. Let your speech always be gracious, seasoned with salt, so that you may know how you ought to answer everyone.” (Colossians 4: 5-6)

Ever living God You have called us to pray, to give thanks for those with whom we work and those who work for us. We are mindful that we are to use our words and actions to produce good results. And we ask that You teach us to treasure what is precious in Your sight and to love what is worth loving. 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 Kehoe offered Senate Resolution No. 592, regarding the Missouri State Museum, which was

adopted.

Senator Schupp offered Senate Resolution No. 593, regarding Gordon William Gosh, Warson Woods, which was adopted.

Senator Dixon offered Senate Resolution No. 594, regarding Jaggar Deeds, Republic, which was adopted.

Senator Dixon offered Senate Resolution No. 595, regarding Kimberleigh Eng, which was adopted.

Senator Libla offered Senate Resolution No. 596, regarding Vanissia Lemons, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 597, regarding Recycling Grace Women’s Center, Incorporated, Poplar Bluff, which was adopted.

Senator Sater offered Senate Resolution No. 598, regarding the Eighty-fifth Birthday of Dorothy Heisner, Mount Vernon, which was adopted.

Senator Riddle offered Senate Resolution No. 599, regarding the Sixtieth Anniversary of Glenn and Jane Griffith, which was adopted.

Senator Libla offered Senate Resolution No. 600, regarding Hamiz Mirza, Poplar Bluff, which was adopted.

Senator Romine offered Senate Resolution No. 601, regarding Gene Smith, Irondale, which was adopted.

Senator Nasheed offered Senate Resolution No. 602, regarding the death of Charles Lawrence “BeBe” Shelton, Jr., which was adopted.

Senator Schupp offered Senate Resolution No. 603, regarding Sangama, Saint Louis Kannada Sangha organization, which was adopted.

Senator Nasheed offered Senate Resolution No. 604, regarding the death of Ina M. Boon, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 605, regarding Dr. Janell Bagwell, which was adopted.

Senator Kehoe offered Senate Resolution No. 606, regarding Delaney White, which was adopted.

REFERRALS

President Pro Tem Richard referred **HB 93**, with **SCS**; **HCS** for **HB 66**, with **SCS**; and **HB 655** to the Committee on Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 697—Transportation, Infrastructure and Public Safety.

HB 843—Local Government and Elections.

HB 964—Transportation, Infrastructure and Public Safety.

HCS for **HB 174**—Seniors, Families and Children.

HB 104—General Laws.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 240**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 240**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240

An Act to amend chapter 324, RSMo, by adding thereto nine new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

Was taken up.

Senator Schatz moved that **SCS** for **SB 240** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 324.915, Line 4, by striking “or”; and further amend line 5, by inserting after “386.020” the following: “, **a provider of cable television service, as defined in section 386.020, or a telecommunications company as defined in section 386.020**”; and further amend line 9, by striking “or”; and further amend line 10, by inserting after “386.020,” the following: “**or a provider of cable television service as defined in section 386.020,**”; and further amend line 11, by inserting after “utility” the following: “, **the cable television service provider, or telecommunications company**”.

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

Senator Brown offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 240, Page 6, Section 324.930, Lines 7-10, by striking all of said lines and inserting in lieu thereof the following: “**administration of sections 324.900 to 324.945. The provisions of section 33.080 to the contrary notwithstanding, moneys in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding fiscal year. The state treasurer shall invest moneys in the**”.

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

Senator Schatz moved that **SCS** for **SB 240**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **SB 240**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 434** be taken up for perfection, which motion prevailed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 434, Page 1, Section 160.530, Line 6, by inserting after the word “year” the following: “**ending with fiscal year 2023**”.

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

On motion of Senator Sater, **SB 434**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 84**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 84**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 84

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

Was taken up.

Senator Kraus moved that **SCS** for **SB 84** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 84** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 41** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 41**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 41

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the preemption of political subdivision authority regarding abortion, with an emergency clause.

Senator Wallingford moved that **SS** for **SB 41** be adopted.

Senator Dixon assumed the Chair.

President Parson assumed the Chair.

Senator Rowden assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 41, Page 4, Section 188.125, Line 24 of said page, by inserting after all of said line the following:

“11. Nothing in this section shall be construed to provide any defense for the provision of medically inaccurate or materially false information or the provision of improper medical procedures to a pregnant woman by an alternatives to abortion agency or its officers, agents, employees, or volunteers.”.

Senator Schupp moved that the above amendment be adopted.

Senator Schupp 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 Bill No. 41, Page 1, Line 5 of said page, by striking the word “materially”.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Wallingford, **SB 41**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

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 469**, entitled:

An Act to repeal sections 161.094 and 161.095, RSMo, and to enact in lieu thereof three new sections relating to high school equivalency degree testing.

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 758**, entitled:

An Act to repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

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 151**, entitled:

An Act to repeal sections 302.065 and 302.183, RSMo, and to enact in lieu thereof two new sections relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

Emergency Clause defeated.

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 956**, entitled:

An Act to authorize the conveyance of certain state properties to the city of Independence.

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 1009**, entitled:

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.

Emergency Clause adopted.

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 915**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to post traumatic stress awareness day in Missouri.

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 831**, entitled:

An Act to repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to the retirement of police officers, with an emergency clause.

Emergency Clause adopted.

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 90** and **68**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to the narcotics control act, 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 275**, entitled:

An Act to repeal sections 304.170 and 476.385, RSMo, and to enact in lieu thereof four new sections relating to transportation regulations.

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 No. 2** for **HB 502**, entitled:

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 eleven new sections relating to fantasy sports contests, 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 142**, entitled:

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

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 340**, entitled:

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof two new sections relating to the regulation of utilities.

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 780**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance, with an emergency clause.

Emergency Clause adopted.

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 573**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 29, 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:

Chlora A. Lindley-Myers, 2408 Parkcrest Drive, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Insurance, Financial Institutions, and Professional Registration, 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

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 31, 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:

Patrick H. White, 2829 Stonington Place, Frontenac, Saint Louis County, Missouri 63131, as a member of the Missouri Palliative Care and Quality of Life Interdisciplinary Council, for a term ending August 28, 2019, and until his successor is duly appointed and qualified; vice, RSMo. 191.1080.

Respectfully submitted,
Eric R. Greitens
Governor

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

President Pro Tem Richard assumed the Chair.

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 **SCS for SB 84, SB 434** and **SCS for SB 240**, 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.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following report:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 264**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

INTRODUCTION OF GUESTS

Senator Schatz introduced to the Senate, Conner Roach, Owensville; and Conner was made an honorary page.

Senator Richard introduced to the Senate, Ron Clark, Shell Knob.

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

SENATE CALENDAR

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FORTY-EIGHTH DAY—TUESDAY, APRIL 4, 2017
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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 469-Gannon
HB 758-Cookson

HCS for HB 151
HB 956-Vescovo

HB 1009-Lauer	HCS#2 for HB 502
HCS for HB 915	HCS for HB 142
HCS for HB 831	HCS for HB 340
HCS for HBs 90 & 68	HCS for HB 780
HCS for HB 275	HCS for HB 573

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal (In Fiscal Oversight)	SCS for SB 84-Kraus
SS for SCS for SB 213-Rowden	SB 434-Sater
SB 18-Kraus (In Fiscal Oversight)	SCS for SB 240-Schatz

SENATE BILLS FOR PERFECTION

SB 469-Schatz	SB 451-Nasheed
SB 517-Wasson	SB 419-Riddle
SB 435-Cunningham, with SCS	SB 264-Dixon

HOUSE BILLS ON THIRD READING

1. HB 34-Plocher (Dixon)	11. HCS for HB 66, with SCS (Sater) (In Fiscal Oversight)
2. HCS for HBs 1194 & 1193 (Hegeman)	12. HCS for HBs 190 & 208 (Eigel)
3. HB 462-Kolkmeier (Munzlinger)	13. HCS for HB 451 (Wasson)
4. HB 461-Kolkmeier (Munzlinger)	14. HB 51-Andrews, with SCS (Hegeman)
5. HCS for HB 460 (Munzlinger)	15. HCS for HB 292, with SCS (Cunningham)
6. HB 93-Lauer, with SCS (Wasson) (In Fiscal Oversight)	16. HCS for HBs 337, 259 & 575 (Schatz)
7. HCS for HB 115, with SCS (Wasson)	17. HB 336-Shull
8. HB 655-Engler (Dixon) (In Fiscal Oversight)	18. HCS for HB 427, with SCS (Kehoe)
9. HB 35-Plocher (Dixon)	19. HB 85-Redmon, with SCS (Hegeman)
10. HCS for HBs 91, 42, 131, 265 & 314 (Brown)	20. HB 207-Fitzwater (Romine)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 13-Dixon
SB 6-Richard, with SCS	SB 20-Brown

SB 21-Brown
SB 28-Sater, with SCS (pending)
SB 32-Emery, with SCS
SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)
SB 41-Wallingford and Emery, with
SS, SA 1 & SA 1 to SA 1 (pending)
SBs 44 & 63-Romine, with SCS
SB 46-Libla, with SCS
SB 49-Walsh, with SCS
SB 61-Hegeman, with SCS
SB 67-Onder, et al
SB 68-Onder and Nasheed
SB 76-Munzlinger
SB 80-Wasson, with SCS
SB 81-Dixon
SB 83-Dixon
SB 85-Kraus, with SCS
SB 88-Brown, with SCS
SB 96-Sater and Emery
SB 97-Sater, with SCS
SB 99-Emery
SB 102-Cunningham, with SCS
SB 103-Wallingford
SB 109-Holsman, with SCS
SB 115-Schupp, with SCS
SB 117-Schupp, with SCS
SB 122-Munzlinger, with SCS
SB 123-Munzlinger
SB 126-Wasson
SB 129-Dixon and Sifton, with SCS
SB 130-Kraus, with SCS
SB 133-Chappelle-Nadal
SB 138-Sater
SB 141-Emery
SB 142-Emery
SB 144-Wallingford
SB 145-Wallingford, with SCS
SB 147-Romine
SB 156-Munzlinger, with SCS
SB 157-Dixon, with SCS
SB 158-Dixon
SB 163-Romine
SB 169-Dixon, with SCS
SB 171-Dixon and Sifton, with SCS
SB 176-Dixon
SB 177-Dixon, with SCS
SB 178-Dixon
SB 180-Nasheed, with SCS
SB 183-Hoskins, with SCS
SB 184-Emery, with SS (pending)
SB 185-Onder, et al, with SCS
SB 188-Munzlinger, with SCS
SB 189-Kehoe, with SCS
SB 190-Emery, with SCS & SS#2 for SCS
(pending)
SB 196-Koenig
SB 199-Wasson
SB 200-Libla
SB 201-Onder, with SCS
SB 203-Sifton, with SCS
SB 204-Sifton
SB 207-Sifton
SB 209-Wallingford
SB 210-Onder, with SCS
SB 220-Riddle, with SCS
SB 221-Riddle
SB 223-Schatz, with SCS
SB 227-Koenig, with SCS
SB 228-Koenig, with SS & SA 1 (pending)
SB 230-Riddle
SB 232-Schatz
SB 233-Wallingford
SB 234-Libla, with SCS
SB 239-Rowden, with SCS
SB 242-Emery, with SCS
SB 243-Hegeman
SB 247-Kraus, with SCS
SB 250-Kehoe
SB 252-Dixon, with SCS

SB 258-Munzlinger	SB 373-Curls
SB 259-Munzlinger	SB 376-Hoskins
SB 260-Munzlinger	SB 378-Wallingford
SB 261-Munzlinger	SB 379-Schatz
SB 262-Munzlinger	SB 381-Riddle
SB 263-Riddle	SB 383-Eigel and Wieland
SB 267-Schatz, with SCS	SB 384-Rowden, with SCS
SB 271-Wasson and Richard, with SCS	SB 389-Sater, with SCS
SB 280-Hoskins, with SCS	SB 391-Munzlinger
SB 284-Hegeman, with SCS	SB 392-Holsman
SBs 285 & 17-Koenig, with SCS	SB 395-Hoskins
SB 286-Rizzo	SB 406-Wasson and Sater
SB 290-Schatz, with SCS	SB 409-Koenig
SB 295-Schaaf, with SCS	SB 410-Schatz
SB 298-Curls	SB 413-Munzlinger
SB 303-Wieland, with SCS	SB 418-Hegeman, with SCS
SB 311-Wasson, with SCS	SB 422-Cunningham, with SCS
SB 313-Koenig, with SCS	SB 426-Wasson, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 427-Wasson
SB 316-Rowden, with SCS	SB 430-Cunningham, with SCS
SB 325-Kraus	SB 433-Sater, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 442-Hegeman
SB 328-Romine, with SCS	SB 445-Rowden
SB 330-Munzlinger	SB 448-Emery
SB 331-Hegeman	SB 468-Hegeman
SB 333-Schaaf, with SCS	SB 475-Schatz
SB 336-Wieland	SB 485-Hoskins
SB 348-Wasson	SB 490-Schupp
SB 349-Wasson	SB 526-Brown
SB 358-Wieland	SJR 9-Romine, with SCS
SB 362-Hummel	SJR 11-Hegeman, with SCS
SB 368-Rowden	SJR 12-Eigel
SB 371-Schaaf	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)	HB 251-Taylor, with SCS, SS for SCS,
HCS for HB 130, with SCS, SS for SCS &	SA 2 & SA 3 to SA 2 (pending) (Onder)
SA 6 (pending) (Onder)	HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe
SCR 9-Holsman

SCR 14-Hoskins
SCR 21-Wallingford

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