

Journal of the Senate

FIRST REGULAR SESSION

FORTY-NINTH DAY—WEDNESDAY, APRIL 5, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Cast your burden on the Lord, and he will sustain you; he will never permit the righteous to be moved.” (Psalm 55:22)

Heavenly Father we cry to You as we see about us those things and people who bring sorrow and pain. So we pray for You to pour wisdom and mercy upon us so we might be the servant You desire us to be. And as we serve You here in the Senate, may we do what we can do that can bring relief and help to those in need and deal with those who bring evil among us. 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 Eigel offered Senate Resolution No. 623, regarding Samantha Sophie Cary, Saint Charles, which was adopted.

Senator Silvey requested unanimous consent of the Senate, that in honor of American Cancer Society's "Wear Your Suits & Sneakers Day", members be allowed to wear sneakers on the Senate Floor during session, which request was denied.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 373** be taken up for perfection, which motion prevailed.

At the request of Senator Curls, **SB 373** was placed on the Informal Calendar.

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.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 373** be again taken up for perfection, which motion prevailed.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 373, Page 1, In the Title, Lines 2-3, by striking the words "the Missouri senior farmers' market nutrition program" and inserting in lieu thereof the following: "seniors"; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

"192.385. 1. There is hereby established in the department of health and senior services the "Senior Services Growth and Development Program" to provide additional funding for senior services provided through the area agencies on aging in this state.

2. Beginning January 1, 2018, two and one-half percent, and begining January 1, 2019, and each year thereafter, five percent of the premium tax collected under sections 148.320 and 148.370, excluding any moneys to be transferred to the state school moneys fund as described in section 148.360, shall be deposited in the fund created in subsection 3 of this section.

3. (1) There is hereby created in the state treasury the "Senior Services Growth and Development Program Fund", which shall consist of moneys collected under this section. The director of the department of revenue shall collect the moneys described in subsection 2 of this section and shall remit such moneys to the state treasurer for deposit in the fund, less one percent for the cost of collection. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely by the department of health and senior services for enhancing senior services provided by area agencies on aging in this state.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the

fund at the end of the biennium shall not revert to the credit of the general revenue fund. This fund is not intended to supplant general revenue provided for senior services.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The department of health and senior services shall disburse the moneys from the fund to the area agencies on aging in accordance with the funding formula used by the department to disburse other federal and state moneys to the area agencies on aging.

5. At least fifty percent of all moneys distributed under this section shall be applied by area agencies on aging to the development and expansion of senior center programs, facilities, and services.

6. All area agencies on aging shall report, either individually or as an association, annually to the department of health and senior services, the department of insurance, financial institutions, and professional registration, and the general assembly on the distribution and use of moneys under this section. The board of directors and the advisory board of each area agency on aging shall be responsible for ensuring the proper use and distribution of such moneys.

7. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** goes beyond the scope of the bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 373**, with **SA 1** and the point of order (pending), on the Informal Calendar.

Senator Riddle moved that **SB 220**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 220**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 220

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

Was taken up.

Senator Riddle moved that **SCS** for **SB 220** be adopted.

Senator Riddle offered **SS** for **SCS** for **SB 220**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 220

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

Senator Riddle moved that **SS** for **SCS** for **SB 220** be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Riddle, **SB 220**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 624, regarding Eagle Scout Matthew Hassbaum, Barnhart, which was adopted.

Senator Hoskins offered Senate Resolution No. 625, regarding Colette Ellen Tilden, Warrensburg, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 626, regarding Kailyn Marie Deavens, Hazelwood, which was adopted.

Senator Schatz offered Senate Resolution No. 627, regarding Caroline Finnell, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 628, regarding Lewis Roger “Lew” Crist, Wildwood, which was adopted.

Senator Sifton offered Senate Resolution No. 629, regarding Kayla Brown, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 630, regarding Rea Bedalli, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 631, regarding Alyssa Boning, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 632, regarding Breanna Colombo, Saint Louis, which was adopted.

Senator Emery offered Senate Resolution No. 633, regarding Phil Couch, which was adopted.

Senator Kehoe offered Senate Resolution No. 634, regarding Judith Deel, Jefferson City, which was adopted.

Senator Schatz offered Senate Resolution No. 635, regarding Grace Rachel Koch, Washington, which was adopted.

Senator Schatz offered Senate Resolution No. 636, regarding Shelbie Dawn Dallas, Union, which was

adopted.

Senator Schatz offered Senate Resolution No. 637, regarding Sloane Catherine Dallas, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 638, regarding Sanika Nanda, Wildwood, which was adopted.

Senator Wieland offered Senate Resolution No. 639, regarding Olivia Marie Money, Arnold, which was adopted.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Jan Reyes; and Baylor Webb, Annie Bonderer, Alex Armstrong and Julia Mendez, representatives of Student Government Day, Fulton High School.

Senator Kraus introduced to the Senate, teachers and junior government students from Oak Grove High School.

Senator Richard introduced to the Senate, Victoria Marie Blackman, Poplar Bluff; Sierra Blankenship, St. Charles; Kareesha Janae Boyington, Joplin; Eric Cowan, Springfield; Catryn Kelley, Hollister; Jacob Rogers, Sedalia; KaeShawn Smith, Kansas City; William Turner, Knob Noster; Delaney Joy White, Jefferson City; and Jalisa Wines, St. Louis; Boys and Girls Clubs of America National Youth of the Year program finalists.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Curtis Long, Butler.

Senator Cunningham introduced to the Senate, Zeke Webb, Emily Nix, Liliya Dudko, Avery Traver, Maggie Hiatt and Brenda Hewitt, representatives of Student Government Day, Willow Springs; and Emily, Liliya and Zeke were made honorary pages.

Senator Curls introduced to the Senate, Jackson County Executive Frank White, Jr., and Caleb Clifford.

Senator Wallingford introduced to the Senate, students from Southeast Missouri State University.

Senator Kehoe introduced to the Senate, members of the Missouri Asphalt Pavers Association.

Senator Libla introduced to the Senate, Harold Miles, Paula Miles and Keri Jenkins, Advance; and Megan Stuever, Dexter.

Senator Schupp introduced to the Senate, Kim Harrelson, St. Charles; Sherri King, Becky Cowman and Karah Chapman, Kansas City; Kim Moore, Columbia; and Katya Sussman, Creve Coeur.

Senator Walsh introduced to the Senate, Mayor Reggie Jones, Dellwood.

Senator Chappelle-Nadal introduced to the Senate, Brenna Whitehurst, Jaclyn Terbrock, Shea Lanaghan and Danielle Christopher.

Senator Cunningham introduced to the Senate, Chief Keith Follin, Roby Fire Department.

Senator Kehoe introduced to the Senate, Paris Lewis; and Delaney White and her mother, Dee, Jefferson City.

Senator Schaaf introduced to the Senate, Charlie and Nina Pasentino, and eighth-grade students from St. Therese School, Kansas City; and Anna Cernich, Grant Stathopoulos and Sage Nichols were made honorary pages.

On behalf of Senators Silvey, Walsh, Eigel and Munzlinger, Senator Holsman introduced to the Senate, Brooke Rowe, Miss Missouri Junior Teen; Libby Carpenter, Miss Heartland Princess; Bridget Caldwell, Miss Missouri Princess; Rachel Locke, Miss Heartland Junior Teen; and Anna Owen, Miss Missouri Preteen; and Brooke, Libby, Bridget, Rachel and Anna were made honorary pages.

On behalf of Senator Silvey, Senator Holsman introduced to the Senate, Pam Kelley, and Bre, Camden and Presten Tyrell, Kansas City; and Pam and Presten were made honorary pages.

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

SENATE CALENDAR

FIFTIETH DAY—THURSDAY, APRIL 6, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 275
HCS#2 for HB 502
HCS for HB 142

HCS for HB 340
HCS for HB 780
HCS for HB 573

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)
SS for SCS for SB 213-Rowden
SB 18-Kraus (In Fiscal Oversight)

SCS for SB 84-Kraus
SB 434-Sater
SCS for SB 240-Schatz (In Fiscal Oversight)
SB 395-Hoskins

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle
SB 264-Dixon

HOUSE BILLS ON THIRD READING

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| 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-Kolkmeyer (Munzlinger) | 13. HCS for HB 451 (Wasson) |
| 4. HB 461-Kolkmeyer (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 (Rowden) |
| 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) |
| | 21. HCS for HB 14, with SCS (Brown) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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| SB 5-Richard | SB 81-Dixon |
| SB 6-Richard, with SCS | SB 83-Dixon |
| SB 13-Dixon | SB 85-Kraus, with SCS |
| SB 20-Brown | SB 88-Brown, with SCS |
| SB 21-Brown | SB 96-Sater and Emery |
| SB 28-Sater, with SCS (pending) | SB 97-Sater, with SCS |
| SB 32-Emery, with SCS | SB 99-Emery |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 102-Cunningham, with SCS |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 103-Wallingford |
| SBs 44 & 63-Romine, with SCS | SB 109-Holsman, with SCS |
| SB 46-Libla, with SCS | SB 115-Schupp, with SCS |
| SB 49-Walsh, with SCS | SB 117-Schupp, with SCS |
| SB 61-Hegeman, with SCS | SB 122-Munzlinger, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 123-Munzlinger |
| SB 68-Onder and Nasheed | SB 126-Wasson |
| SB 76-Munzlinger | SB 129-Dixon and Sifton, with SCS |
| SB 80-Wasson, 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 & SS for SCS
 (pending)
 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 259-Munzlinger
 SB 260-Munzlinger
 SB 261-Munzlinger
 SB 262-Munzlinger
 SB 263-Riddle
 SB 267-Schatz, with SCS
 SB 271-Wasson and Richard, with SCS
 SB 280-Hoskins, with SCS
 SB 284-Hegeman, with SCS
 SBs 285 & 17-Koenig, with SCS
 SB 286-Rizzo
 SB 290-Schatz, with SCS
 SB 295-Schaaf, with SCS
 SB 298-Curls
 SB 303-Wieland, with SCS
 SB 311-Wasson, with SCS
 SB 313-Koenig, with SCS, SS for SCS,
 SA 1 & SSA 1 for SA 1 (pending)
 SBs 314 & 340-Schatz, et al, with SCS
 SB 316-Rowden, with SCS
 SB 325-Kraus
 SBs 327, 238 & 360-Romine, with SCS
 SB 328-Romine, with SCS, with SCS & SA 3
 (pending)
 SB 330-Munzlinger
 SB 331-Hegeman
 SB 333-Schaaf, with SCS
 SB 336-Wieland
 SB 348-Wasson
 SB 349-Wasson
 SB 358-Wieland
 SB 362-Hummel
 SB 368-Rowden

SB 371-Schaaf	SB 422-Cunningham, with SCS
SB 373-Curls, with SA 1 & point of order (pending)	SB 426-Wasson, with SCS
SB 376-Hoskins	SB 427-Wasson
SB 378-Wallingford	SB 430-Cunningham, with SCS
SB 379-Schatz	SB 433-Sater, with SCS
SB 381-Riddle	SB 442-Hegeman
SB 383-Eigel and Wieland	SB 445-Rowden
SB 384-Rowden, with SCS	SB 448-Emery
SB 389-Sater, with SCS	SB 468-Hegeman
SB 391-Munzlinger	SB 475-Schatz
SB 392-Holsman	SB 485-Hoskins
SB 406-Wasson and Sater	SB 490-Schupp
SB 409-Koenig	SB 526-Brown
SB 410-Schatz	SJR 9-Romine, with SCS
SB 413-Munzlinger	SJR 11-Hegeman, with SCS
SB 418-Hegeman, with SCS	SJR 12-Eigel
	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 6 (pending) (Onder)	SA 2 & SA 3 to SA 2 (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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