

Journal of the Senate

SECOND REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 22, 2018

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“If we really want to pray, we must have to give time to learning its lessons.” (Mother Mary Clare)

Gracious God, as we spend our time here this week we recognize our need for time with You. May we take time to be in conversation with You and then spend time to learn the lessons of what our prayers mean and what we are asking. Keep us ever close to You that we may see and find our way through these times and be a light for others to know 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, January 18, 2018 was read and approved.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1132, regarding the death of Frankie Muse Freeman, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1133, regarding Tom and Cathy Sakiyama, Chesterfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 1134, regarding the 2017-2018 Class 3 State Champion Helias Catholic High School lady volleyball Crusaders, which was adopted.

Senator Kehoe offered Senate Resolution No. 1135, regarding the 2017-2018 Class 2 State Champion Fatima High School lady cross country Comets, which was adopted.

Senator Cunningham offered Senate Resolution No. 1136, regarding FMC Transport, Incorporated, Willow Springs, which was adopted.

Senator Walsh offered the following resolution:

SENATE RESOLUTION NO. 1137

Notice of Proposed Rule Change

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, Second Regular Session, that Senate Rule 25 be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, 8 members.
3. Committee on Appropriations, 11 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, 11 members.
5. Committee on Economic Development, 11 members.
6. Committee on Education, 9 members.
7. Committee on Fiscal Oversight, 7 members.
8. Committee on General Laws, 7 members.
9. Committee on Government Reform, 7 members.
10. Committee on Gubernatorial Appointments, 11 members.
11. Committee on Health and Pensions, 7 members.
12. Committee on Insurance and Banking, 7 members.
13. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
14. Committee on Local Government and Elections, 7 members.
15. Committee on Professional Registration, 7 members.
16. Committee on Progress and Development, 4 members.
17. Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.
18. Committee on Seniors, Families and Children, 7 members.
19. Committee on Small Business and Industry, 8 members.
20. Committee on Transportation, Infrastructure and Public Safety, 7 members.
21. Committee on Veterans and Military Affairs, 7 members.
22. Committee on Ways and Means, 7 members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

It is expected that members of the General Assembly and statewide elected state officials will have the opportunity to address matters that come before any standing or interim committee of the Senate within their respective official capacities. Therefore, the chairs of any such committee shall prohibit members of the General Assembly and statewide elected state officials from offering testimony at

any such committee other than the sponsor of legislation pending before the committee. At the discretion of the chair, if there is an excusable absence of the sponsor of a bill pending before a committee, one member of the same house of the General Assembly as the sponsor may serve as a substitute to present the bill to the committee.”

Senator Brown offered the following resolution:

SENATE RESOLUTION NO. 1138

Whereas, the Medal of Honor is the highest award for valor in action against an enemy force that can be bestowed upon an individual serving in the Armed Services of the United States; and

Whereas, only 3,497 recipients in the Army, Navy, Air Force, Marine Corps, and Coast Guard have been awarded this acknowledgment of extraordinary achievement in military service since its creation in 1861; and

Whereas, 473 Americans received the Medal of Honor for their service during World War II; and

Whereas, only four of these recipients are still living today; and

Whereas, a state funeral is a unifying national event in which Americans can join together to honor and commemorate distinguished individuals; and

Whereas, a single state funeral for the last Medal of Honor recipient from World War II would provide national recognition to the over 16 million men and women who served from 1941 to 1945, and demonstrate appreciation for their sacrifice; and

Whereas, only the President of the United States has the authority to issue a proclamation authorizing an official state funeral for designated individuals:

Now Therefore Be it Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, hereby urge President Trump to issue a proclamation designating a single state funeral for the last Medal of Honor recipient from World War II, as a final salute to the Americans who served during World War II; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States and each member of the Missouri Congressional delegation.

Senators Schatz and Nasheed offered Senate Resolution No. 1139, regarding Solomon L. Thurman, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1140, regarding Buchheit Logistics, Scott City, which was adopted.

Senator Wallingford offered Senate Resolution No. 1141, regarding Bob Neff, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1142, regarding Marco Construction Products, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1143, regarding Brandy McIntire, Cape Girardeau, which was adopted.

CONCURRENT RESOLUTIONS

Senator Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 36

Relating to Shingles Awareness and Prevention Month in Missouri

Whereas, herpes zoster (shingles) is a disease caused by the same virus (zoster) that causes chickenpox; therefore, any individual who has contracted chickenpox is at risk for shingles, corresponding to approximately ninety-eight percent of U.S. adults; and

Whereas, nearly one in three people in the United States will contract shingles in their lifetime, corresponding to an estimated one million people annually; and

Whereas, the risk of shingles increases with age, with nearly half of those affected being over sixty years old and half of people living until eighty-five years old developing shingles; and

Whereas, shingles is a viral infection that causes a painful rash that can be severe, along with other symptoms, including long-term nerve pain, fever, headache, chills, upset stomach, muscle weakness, skin infection, scarring, and a decrease or loss of vision or hearing; and

Whereas, as many as twenty percent of adults who have contracted shingles will develop postherpetic neuralgia, a debilitating complication of shingles that causes severe pain and that may interfere with sleep and recreational activities and be associated with clinical depression; and

Whereas, vaccines have reduced the burden of widespread and often fatal diseases, enabling individuals to lead longer and healthier lives while reducing health care costs; and

Whereas, much attention has been paid to the importance of childhood vaccinations, but there is a general lack of awareness of adult-recommended vaccines and a misperception that immunizations are unnecessary for healthy adults; and

Whereas, the United States Centers for Disease Control and Prevention (CDC) and the Advisory Committee on Immunization Practices (ACIP) recommend that healthy adults fifty years and older be vaccinated against shingles to prevent shingles and shingles-related complications; and

Whereas, despite the recommendations of CDC officials and other experts that all healthy adults be vaccinated against shingles, as of 2015 only thirty percent of eligible adults had received the shingles vaccine; and

Whereas, the annual economic burden of shingles in American adults is estimated to be between 782 million and 5 billion; and

Whereas, the Institute of Medicine has stated that one of the six causes of excess costs in the U.S. health care system is missed prevention opportunities; and

Whereas, millions of American adults go without routine and recommended vaccinations because medical systems are not designed to ensure that adults receive regular preventive health care; and

Whereas, as the month of August is observed as National Immunization Awareness Month, residents of Missouri should be encouraged to speak with their health care provider to ensure that they have been properly vaccinated against shingles according to current CDC and ACIP recommendations:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate August as “Shingles Awareness and Prevention Month” in Missouri to increase public awareness of the importance of adults receiving vaccines against shingles and to promote outreach and education efforts concerning adult vaccinations; and

Be It Further Resolved that the Department of Health and Senior Services shall take appropriate action to promote Shingles Awareness and Prevention Month, including urging health care practitioners to discuss vaccines for shingles with adult patients and adopting appropriate programs and initiatives to raise public awareness of the importance of adult vaccinations; and

Be It Further Resolved that the Department of Health and Senior Services shall create and disseminate educational resources on shingles and shingles vaccinations to educate the residents of Missouri on vaccine-preventable diseases, including shingles; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senators Eigel and Onder offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 37

Whereas, the Bangert Island Riverfront Transformational Project will transform the St. Charles Riverfront into a center for economic prosperity; and

Whereas, the Bangert Island Riverfront Transformational Project will provide for a unique Missouri River Island recreational attraction; and

Whereas, the Bangert Island Riverfront Transformational Project will provide Missouri River aquatic habitat restoration; and

Whereas, the Bangert Island Riverfront Transformational Project, according to economic modeling, projects 4,000 new jobs; and

Whereas, the Bangert Island Riverfront Transformational Project, according to economic modeling, will result in a 1.5 billion economic impact; and

Whereas, the Bangert Island project initiative shall:

- (1) Create 4,000 jobs for Missourians;
- (2) Have a 1.5 billion economic impact;
- (3) Provide for a riverfront recreational attraction;
- (4) Provide for Missouri River aquatic habitat restoration; and

Whereas, a Modeling study produced by the Corps for restoration of Bangert Island concluded that navigation is not disturbed by the proposed side channel/chute project; and

Whereas, the City of St. Charles desires to work with the United States Army Corps of Engineers to advance a Section 1135 Project, which would improve aquatic habitat and restore Bangert Island; and

Whereas, the City of St. Charles will cost share toward construction of the Bangert Island project:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby endorse the Bangert Island Riverfront Transformational Project; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, United States Senator Roy Blunt, Congressman Blaine Luetkemeyer, and Congresswoman Ann Wagner.

INTRODUCTION OF BILLS

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

SB 938—By Munzlinger.

An Act to repeal section 265.300, RSMo, and to enact in lieu thereof one new section relating to meat.

SB 939—By Cierpiot.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to taxation.

SB 940—By Hegeman.

An Act to repeal sections 65.610 and 65.620, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a tax to fund roads and bridges upon abolishing the township form of county government.

SB 941—By Romine.

An Act to amend chapter 44, RSMo, by adding thereto one new section relating to floodplain management.

SB 942—By Wieland.

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

SB 943—By Wieland.

An Act to repeal sections 333.330, 436.405, 436.430, 436.450, 436.455, 436.456, 436.457, and 436.460, RSMo, and to enact in lieu thereof eight new sections relating to preneed funeral contracts.

SB 944—By Eigel.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to the purchasing of modernized technology using unexpended state funds saved through a state technology modernization fund.

SB 945—By Nasheed.

An Act to amend chapter 213, RSMo, by adding thereto one new section relating to civil rights for homeless persons.

SJR 34—By Hoskins.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax exemptions for veterans.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 564** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 564**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 564

An Act to repeal section 386.390, RSMo, and to enact in lieu thereof six new sections relating to public utilities.

Senator Emery moved that **SS** for **SB 564** be adopted.

At the request of Senator Emery, **SB 564**, with **SS** (pending) was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 19, 2018

To the Senate of the 99th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jennifer N. Foster as a member of the Missouri State Foster Care and Adoption Board submitted to you on January 3, 2018. Line 3 should be amended to read:

Jennifer N. Foster, 6197 Fulks Road, Bates City, Lafayette County, Missouri 64011, as a

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 19, 2018

To the Senate of the 99th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lee R. Keith as Commissioner of the Division of Finance for the Department of Insurance, Financial Institutions, and Professional Registration submitted to you on January 3, 2018. Line 3 should be amended to read:

Lee R. Keith, 2445 Country Club Drive, Jefferson City, Cole County, Missouri 65109, as

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 22, 2018

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:

Christopher L. Slinkard, 14167 Elder Road, Diamond, Newton County, Missouri 64840, as Director of the Division of Employment Security, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 22, 2018

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:

Dorothy E. Taylor, 4312 County Road 4014, Tebbetts, Callaway County, Missouri 65080, as State Supervisor of the Division of Alcohol and Tobacco Control, 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 addendums and appointments to the Committee on Gubernatorial Appointments.

SECOND READING OF SENATE BILLS

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

SB 849—Government Reform.

SB 850—Seniors, Families and Children.

SB 851—Judiciary and Civil and Criminal Jurisprudence.

SB 852—Insurance and Banking.

SB 853—Local Government and Elections.

SB 854—Commerce, Consumer Protection, Energy and the Environment.

SB 855—Education.

SB 856—Health and Pensions.

SB 857—Judiciary and Civil and Criminal Jurisprudence.

SB 858—Judiciary and Civil and Criminal Jurisprudence.

SB 859—Economic Development.

SB 860—Insurance and Banking.

SB 861—Transportation, Infrastructure and Public Safety.

SB 862—Professional Registration.

SB 863—Appropriations.

- SB 864**—Veterans and Military Affairs.
- SB 865**—Economic Development.
- SB 866**—Agriculture, Food Production and Outdoor Resources.
- SB 867**—Education.
- SB 868**—Ways and Means.
- SB 869**—Small Business and Industry.
- SB 870**—Local Government and Elections.
- SB 871**—Judiciary and Civil and Criminal Jurisprudence.
- SB 872**—Transportation, Infrastructure and Public Safety.
- SB 873**—Education.
- SB 874**—Judiciary and Civil and Criminal Jurisprudence.
- SB 875**—Transportation, Infrastructure and Public Safety.
- SB 876**—Local Government and Elections.
- SB 877**—Judiciary and Civil and Criminal Jurisprudence.
- SB 878**—Transportation, Infrastructure and Public Safety.
- SB 879**—Insurance and Banking.
- SB 880**—Ways and Means.
- SB 881**—Veterans and Military Affairs.
- SB 882**—Education.
- SB 883**—General Laws.
- SB 884**—Ways and Means.
- SB 885**—Local Government and Elections.
- SB 886**—Progress and Development.
- SB 887**—Ways and Means.
- SB 888**—Judiciary and Civil and Criminal Jurisprudence.
- SB 889**—General Laws.
- SB 890**—Seniors, Families and Children.
- SB 891**—General Laws.
- SB 892**—Health and Pensions.
- SB 893**—Local Government and Elections.

SB 894—Economic Development.

SB 895—Judiciary and Civil and Criminal Jurisprudence.

SB 896—Education.

SB 897—Ways and Means.

SB 898—Education.

SB 899—General Laws.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 603** to the Committee on Education.

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

SENATE CALENDAR

ELEVENTH DAY—TUESDAY, JANUARY 23, 2018

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 900-Rowden and Curls	SB 921-Rizzo
SB 901-Hummel	SB 922-Hegeman
SB 902-Hummel	SB 923-Rowden
SB 903-Dixon	SB 924-Rowden
SB 904-Emery	SB 925-Nasheed
SB 905-Munzlinger	SB 926-Riddle
SB 906-Cunningham	SB 927-Romine
SB 907-Kehoe	SB 928-Onder
SB 908-Wieland	SB 929-Schatz
SB 909-Dixon	SB 930-Curls
SB 910-Sater	SB 931-Riddle
SB 911-Munzlinger	SB 932-Sater
SB 912-Rowden	SB 933-Hegeman
SB 913-Rowden	SB 934-Hegeman
SB 914-Crawford	SB 935-Hegeman
SB 915-Crawford	SB 936-Eigel
SB 916-Crawford	SB 937-Hummel
SB 917-Crawford	SB 938-Munzlinger
SB 918-Munzlinger	SB 939-Cierpiot
SB 919-Libla	SB 940-Hegeman
SB 920-Riddle	SB 941-Romine

SB 942-Wieland
SB 943-Wieland
SB 944-Eigel

SB 945-Nasheed
SJR 34-Hoskins

SENATE BILLS FOR PERFECTION

SB 567-Cunningham, with SCS
SB 561-Sater
SB 563-Sater

SB 579-Libla
SB 626-Munzlinger
SB 546-Munzlinger

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 564-Emery, et al, with SS (pending)

RESOLUTIONS

To be Referred

SCR 36-Munzlinger
SCR 37-Eigel

SR 1137-Walsh
SR 1138-Brown

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