

Journal of the Senate

SECOND REGULAR SESSION

FIFTIETH DAY—MONDAY, APRIL 9, 2018

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will lift my eyes unto the hills, from where comes my Help? My help comes from the Lord.” (Psalm 121:1-2)

As we begin a new week, O Lord, we are aware of Your servant David who was often pressed from all sides while dealing with the work of the state. David learned as we are learning that You are our help when we are stressed and perplexed by what is before us. You O Lord provide wisdom and calmness, love and grace to deal with these challenges that call for us to make fair and equitable decisions for all who come before us with legitimate concerns and needs. May we be faithful to Your prompting. 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, April 5, 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

Senators Nasheed and Riddle offered Senate Resolution No. 1627, regarding Missouri Lineworker Appreciation Day, which was adopted.

Senator Libla offered Senate Resolution No. 1628, regarding Agnes Marie Cobb, Caruthersville, which was adopted.

Senator Onder offered Senate Resolution No. 1629, regarding Classic Sign Services, O'Fallon, which was adopted.

Senator Rowden offered Senate Resolution No. 1630, regarding Missouri Task Force One, which was adopted.

Senator Hoskins offered Senate Resolution No. 1631, regarding Holly Wilcox, Centerview, which was adopted.

Senator Curls offered Senate Resolution No. 1632, regarding Greater Kansas City Association of Real Estate Brokers, which was adopted.

Senator Sifton offered Senate Resolution No. 1633, regarding Jacqui Schilling, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 1634, regarding Laura Leyes-Woods, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1635, regarding Jessica Calloway, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1636, regarding Stefany Caskanett, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1637, regarding Katie Wengert, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1638, regarding Meg Hoelzer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1639, regarding Sean Jones, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1640, regarding Megan Hall, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1641, regarding James "Jimmy" Hahn, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1642, regarding Alyssa Stock, Belleville, Illinois, which was adopted.

Senator Libla offered Senate Resolution No. 1643, regarding Elizabeth A. Deken, Poplar Bluff, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wallingford moved that **SCR 30** be taken up for adoption, which motion prevailed.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 30, as it appears on Page 77 of the Senate Journal for Wednesday, January 3, 2018, Lines 7-9 of said journal page, by striking all of said lines and inserting in lieu thereof the following: “the Senate, with three members appointed by the President Pro Tempore of the Senate and two members appointed by the Minority Floor Leader of the Senate, and five members of the House of Representatives, with three members appointed by the Speaker of the House of Representatives and two members appointed by the Minority Floor Leader of the House of Representatives. The Joint Committee shall select either a chairperson or co-chairpersons, one of”.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Wallingford, the motion for adoption was withdrawn, which placed **SCR 30**, with **SA 1** (pending), back on the Calendar.

Senator Wallingford moved that **SCR 31** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **SCR 31** was adopted by the following vote:

YEAS—Senators

| | | | | | | |
|--------|-----------------|----------|----------|-------------|--------|------------|
| Brown | Chappelle-Nadal | Cierpiot | Crawford | Cunningham | Curls | Dixon |
| Eigel | Emery | Hegeman | Holsman | Hoskins | Kehoe | Koenig |
| Libla | Munzlinger | Nasheed | Onder | Richard | Riddle | Romine |
| Rowden | Sater | Schaaf | Schatz | Wallingford | Wasson | Wieland—28 |

NAYS—Senators

| | | | | |
|--------|-------|--------|--------|---------|
| Hummel | Rizzo | Schupp | Sifton | Walsh—5 |
|--------|-------|--------|--------|---------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

SCR 36, introduced by Senator Munzlinger, entitled:

Relating to Shingles Awareness and Prevention Month in Missouri.

Was taken up.

On motion of Senator Munzlinger, **SCR 36** was read the 3rd time and passed by the following vote:

YEAS—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 | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Munzlinger, title to the concurrent resolution was agreed to.

Senator Munzlinger moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Eigel moved that **SCR 37** be taken up for adoption, which motion prevailed.

At the request of Senator Eigel, the motion for adoption was withdrawn, which placed the resolution back on Calendar.

SCR 40, introduced by Senator Hoskins, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Was taken up.

On motion of Senator Hoskins, **SCR 40** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | |
|---------|-----------------|----------|----------|------------|-------------|---------|
| Brown | Chappelle-Nadal | Cierpiot | Crawford | Cunningham | Eigel | Hegeman |
| Holsman | Hoskins | Kehoe | Libla | Onder | Richard | Riddle |
| Romine | Rowden | Sater | Schatz | Sifton | Wallingford | Wasson |

Wieland—22

NAYS—Senators

| | | | | | | |
|--------|---------|-------|--------|--------|------------|-------|
| Curls | Dixon | Emery | Hummel | Koenig | Munzlinger | Rizzo |
| Schupp | Walsh—9 | | | | | |

Absent—Senators

Nasheed Schaaf—2

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Hoskins, title to the concurrent resolution was agreed to.

Senator Hoskins moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hoskins moved that **SCR 42** be taken up for adoption, which motion prevailed.

On motion of Senator Hoskins, **SCR 42** was adopted by the following vote:

YEAS—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 | Schatz | Schupp | Sifton |
| Wallingford | Walsh | Wasson | Wieland—32 | | | |

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

Senator Munzlinger moved that **SCR 43** be taken up for adoption, which motion prevailed.

On motion of Senator Munzlinger, **SCR 43** was adopted by the following vote:

YEAS—Senators

| | | | | | | |
|---------|----------|----------|------------|-------------|--------|------------|
| Brown | Cierpiot | Crawford | Cunningham | Dixon | Eigel | Emery |
| Hegeman | Hoskins | Kehoe | Koenig | Munzlinger | Onder | Richard |
| Riddle | Rowden | Sater | Schatz | Wallingford | Wasson | Wieland—21 |

NAYS—Senators

| | | | | | | |
|-----------------|--------|----------|--------|-------|-------|--------|
| Chappelle-Nadal | Curls | Holsman | Hummel | Libla | Rizzo | Romine |
| Schupp | Sifton | Walsh—10 | | | | |

Absent—Senators

| | |
|---------|----------|
| Nasheed | Schaaf—2 |
|---------|----------|

Absent with leave—Senators—None

Vacancies—1

SENATE BILLS FOR PERFECTION

Senator Riddle moved that **SB 920** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Riddle offered **SS** for **SB 920**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 920

An Act to repeal section 339.190, RSMo, and to enact in lieu thereof one new section relating to real estate licensees.

Senator Riddle moved that **SS** for **SB 920** be adopted.

Senator Rowden assumed the Chair.

President Parson assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 920, Page 2, Section 339.190, Lines 12-18, by striking all of said lines and inserting in lieu thereof the following:

“4. In order for a real estate licensee to not be the subject of any action and in order for no action to be instituted against a real estate licensee for the accuracy of any information about the size or area, in square footage or otherwise, of a property or of improvements on the property, a real estate licensee shall obtain the information from a government entity possessing such information, or if the licensee verifies that such an entity does not possess such information, then the licensee discloses on documents pertaining to such property that the accuracy of any such information is only an estimate and the licensee discloses the source of the”.

Senator Eigel moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Eigel offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 920, Page 2, Section 339.190, Lines 12-19, by striking all of said lines and inserting in lieu thereof the following:

“4. In order for a real estate licensee to not be the subject of any action and in order for no action to be instituted against a real estate licensee for the accuracy of any information about the size or area, in square footage or otherwise, of a property or of improvements on the property, a real estate licensee shall obtain the information from a government entity possessing such information, or if the licensee verifies that such an entity does not possess such information, then the licensee discloses on documents pertaining to such property that the accuracy of any such information is only an estimate and the licensee discloses the source of the information. The immunity from suit provided under this subsection shall not apply if the real estate licensee knew the information”.

Senator Eigel moved that the above substitute amendment be adopted, which motion failed on a standing division vote.

At the request of Senator Eigel, **SA 1** was withdrawn.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 920, Section 339.190, Page 2, Line 22, by striking the words “or false”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Riddle, **SB 920**, with **SS** and **SA 2** (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 **SCS** for **SB 843** and **SS No. 2** for **SCS** for **SB 1050**, 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.

REFERRALS

President Pro Tem Richard referred **SS No. 2** for **SCS** for **SB 1050**; **HCS** for **HB 1286**, with **SCS**; **HB 1329**, with **SCS**; **HB 2044**, with **SCS**; **HCS** for **HBs 1288, 1377** and **2050**, with **SCS**; and **HCS** for **HB 1991**, with **SCS** to the Committee on Fiscal Oversight.

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 **HBs 2337** and **2272**, entitled:

An Act to repeal sections 354.150, 354.495, 374.115, 374.150, and 374.230, RSMo, and to enact in lieu thereof four new sections relating to insurance companies, with a delayed effective date.

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 1296**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to victim impact programs for driving while intoxicated offenders.

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 2255**, entitled:

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof two new sections relating to the science, technology, engineering and mathematics (STEM) initiative.

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 1499**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to long-acting reversible contraceptives.

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 2231**, entitled:

An Act to repeal sections 327.313 and 327.321, RSMo, and to enact in lieu thereof two new sections relating to land surveyors.

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 1419**, entitled:

An Act to repeal sections 337.020, 337.025, 337.029, 337.033, 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 twenty-nine new sections relating to occupations and professions, with a contingent date for certain sections.

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 1275**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the establishment of a work-study program.

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 1629**, entitled:

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof seventeen new sections relating to the licensure of psychologists, with a contingent effective date for certain sections.

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 1252**, entitled:

An Act to repeal section 376.782, RSMo, and to enact in lieu thereof one new section relating to low-dose mammography screening.

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 2562**, entitled:

An Act to repeal sections 208.151, 217.703, 478.001, 478.003, 478.004, 478.005, 478.006, 478.007, 478.008, 478.009, 478.466, 478.550, 478.551, 478.600, 478.716, 488.2230, 488.5358, and 577.001, RSMo, and to enact in lieu thereof fifteen new sections relating to treatment courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senators Hegeman and Riddle introduced to the Senate, Line Workers from around the state.

Senator Holsman introduced to the Senate, former State Senator Jolie Justus, Kansas City.

Senator Dixon introduced to the Senate, Clark Brown, Marshfield.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, April 10, 2018.

SENATE CALENDAR

FIFTY-FIRST DAY—TUESDAY, APRIL 10, 2018

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 2339
HB 1633-Corlew
HCS#2 for HB 1973
HCS for HB 1574
HB 1832-Cornejo
HCS for HB 1667
HCS for HB 1368

HB 2183-Bondon
HB 2039-Fraker
HB 1257-Schroer
HB 1516-Wiemann
HRB 1-Shaul
HCS for HBs 2337 & 2272
HB 1296-Kelley

HCS for HB 2255
 HB 1499-Dogan
 HB 2231-Ross
 HB 1419-Haefner

HB 1275-Kendrick
 HB 1629-Evans
 HB 1252-Plocher
 HB 2562-Austin

THIRD READING OF SENATE BILLS

SS for SB 579-Libla (In Fiscal Oversight)
 SS for SB 699-Sifton (In Fiscal Oversight)
 SJR 27-Holsman (In Fiscal Oversight)
 SB 687-Sater
 SB 582-Walsh

SB 891-Kehoe
 SS for SCS for SB 843-Riddle
 SS#2 for SCS for SB 1050-Schatz
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|--|---------------------------------|
| 1. SB 1007-Kehoe, with SCS | 7. SB 655-Sifton |
| 2. SB 568-Cunningham, with SCS | 8. SB 1003-Wasson, et al |
| 3. SB 1023-Dixon, with SCS | 9. SB 973-Rizzo and Curls |
| 4. SB 1021-Dixon and Wallingford, with SCS | 10. SB 824-Cunningham, with SCS |
| 5. SB 859-Koenig, with SCS | 11. SJR 36-Schatz, with SCS |
| 6. SRBs 975 & 1024-Dixon, with SCS | 12. SB 678-Eigel |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HBs 1729, 1621 & 1436 (Brown) | 10. HB 1880-Trent, with SCS (Cunningham) |
| 2. HB 1578-Kolkmeier (Munzlinger) | 11. HCS for HB 1991, with SCS (Rowden) (In Fiscal Oversight) |
| 3. HB 2044-Taylor, with SCS (Dixon) (In Fiscal Oversight) | 12. HB 1858-Christofanelli (Eigel) |
| 4. HB 1329-Remole, with SCS (Munzlinger) (In Fiscal Oversight) | 13. HB 1442-Alferman, with SCS (Schatz) |
| 5. HCS for HBs 1288, 1377 & 2050, with SCS (Dixon) (In Fiscal Oversight) | 14. HCS for HB 1690 (Wieland) |
| 6. HCS for HB 1605, with SCS (Kehoe) | 15. HCS for HB 1879, with SCS (Cunningham) |
| 7. HB 1630-Evans (Rowden) | 16. HCS for HB 1268, with SCS (Munzlinger) |
| 8. HCS for HB 1461 (Rowden) | 17. HCS for HB 1500, with SCS (Koenig) |
| 9. HCS for HB 1286, with SCS (Romine) (In Fiscal Oversight) | 18. HCS for HB 2116, with SCS (Schatz) |
| | 19. HB 1355-Phillips, with SCS (Schatz) |
| | 20. HCS for HB 1617, with SCS (Onder) |
| | 21. HB 1492-Lynch (Brown) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SBs 617, 611 & 667-Eigel

SENATE BILLS FOR PERFECTION

SB 546-Munzlinger, with SS#4 (pending)

SB 550-Wasson, with SCS

SB 553-Dixon, with SCS, SS for SCS & SA 1
(pending)

SBs 555 & 609-Brown, with SCS

SB 556-Brown, with SA 1 (pending)

SB 561-Sater, with SA 1 (pending)

SB 567-Cunningham, with SCS, SS for SCS,
SA 1 & SA 1 to SA 1 (pending)

SB 578-Romine

SB 591-Hegeman, with SCS

SB 596-Riddle, with SCS

SB 599-Schatz

SB 602-Onder, with SCS

SB 612-Koenig, with SCS, SS#2 for SCS,
SA 2, SSA 1 for SA 2 & SA 1 to SSA 1
for SA 2 (pending)

SB 663-Schatz, with SCS, SS for SCS & SA 1
(pending)

SB 674-Koenig

SB 730-Wallingford, with SCS & SA 1
(pending)

SB 751-Schatz

SB 767-Hoskins, with SCS, SS for SCS & SA 2
(pending)

SB 774-Munzlinger

SB 813-Riddle, with SCS & SA 1 (pending)

SB 822-Hegeman, with SCS & SS for SCS
(pending)

SB 832-Rowden, with SCS, SS#2 for SCS &
point of order (pending)

SB 837-Rowden

SB 848-Riddle

SB 849-Kehoe and Schupp, with SCS, SA 1
& SA 1 to SA 1 (pending)

SB 860-Koenig, with SCS, SS for SCS & SA 1
(pending)

SB 861-Hegeman, with SCS

SB 865-Kehoe

SB 893-Sater, with SCS, SS for SCS & SA 1
(pending)

SB 907-Kehoe, with SCS

SB 912-Rowden, with SCS & SS#3 for SCS
(pending)

SB 920-Riddle, with SS & SA 2 (pending)

SB 928-Onder, with SCS

SB 949-Emery, with SCS, SS for SCS & SA 2
(pending)

SB 982-Wieland

HOUSE BILLS ON THIRD READING

HB 1303-Alferman, with SCS (Rowden)

SS for SCS for HB 1350-Smith (163)
(Rowden)

HB 1413-Taylor, with SCS (Onder)

HB 1691-Miller, with SCS (Emery)

HB 1769-Mathews, with SCS (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1291-Henderson, with SS for SCS,
as amended (Romine)

RESOLUTIONS

SR 1137-Walsh, with SS (pending)

SR 1487-Schaaf

Reported from Committee

SCR 30-Wallingford, with SA 1 (pending)

SCR 37-Eigel and Onder

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