

Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

FOURTH DAY—THURSDAY, SEPTEMBER 13, 2018

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Reverend Gauck offered the following prayer:

“I will give thanks to the Lord with my whole heart; I will tell of all your wonderful deeds.” (Psalm 9:1)

Wondrous God, the wind rustles in the trees and we are reminded that You have created all this for our benefit. Help us, O Lord, to always be mindful that Your work is done through our hands and voices and people can greatly benefit from the work You have given us to do in this wonderful world. And help us see that life is even more than we can see but for which we can give You thanks and praise. 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.

President Kehoe assumed the Chair.

The Journals for Tuesday, September 11, 2018 and Wednesday, September 12, 2018 were read and approved.

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

Present—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Emery	Hegeman	Holsman	Hoskins	Hummel	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Arthur	Eigel	Koenig—3
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Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered the following resolution:

SENATE RESOLUTION NO. 15

Whereas, every United States presidential candidate since Jimmy Carter, except for the current president, has made his or her tax returns public; and

Whereas, tax returns can reveal conflicts of interest that may not appear in financial disclosure statements; and

Whereas, efforts have been made at the federal level to require a presidential candidate to make his or her tax returns public, including H.R. 305 in the 115th Congress; and

Whereas, H.R. 305 amends the Ethics in Government Act of 1978 to require the president and certain candidates for president to disclose federal income tax returns for the three most recent taxable years in reports filed with either the Office of Government Ethics or the Federal Election Commission, in the case of a candidate; and

Whereas, H.R. 305 provides a foundation but should be amended to require disclosure of federal income tax returns for the ten most recent taxable years; and

Whereas, financial transparency should also be extended to mental health transparency; and

Whereas, many professions where the person may be authorized to use deadly force in the line of duty require an applicant for the position to undergo a psychological screening to determine the mental fitness of the person for the position; and

Whereas, the president of the United States, with the power to mobilize armed forces and launch nuclear weapons, is not required to undergo any psychological screening prior to assuming office; and

Whereas, to date, no efforts have been made at the federal level to require a presidential candidate to undergo a psychological screening prior to assuming office:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Extraordinary Session of the Second Regular Session, hereby strongly urge the Congress of the United States to amend federal law to require that every presidential candidate shall disclose his or her federal income tax returns for the ten most recent taxable years; and

Be It Further Resolved that the Congress should amend federal law to require every presidential candidate to undergo a psychological screening to determine the mental fitness of the person for the position of president of the United States, and that such screening shall be completed by a psychologist independently designated by a panel of experts chosen by the director of Walter Reed National Military Medical Center and the results of such screening shall be made public; and

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

Senator Schupp offered the following resolution:

SENATE RESOLUTION NO. 16

Whereas, for Missourians and lawmakers of the Jewish faith, Rosh Hashanah, the Jewish New Year, is one of the most holy days in the Jewish religion; and

Whereas, this year, Rosh Hashanah was celebrated on September 10, 2018; and

Whereas, the Governor called an extraordinary session of the General Assembly which commenced on September 10th; and

Whereas, by beginning an extraordinary session on September 10th, Jewish lawmakers and government employees were required to make the decision to either recognize this important Jewish holiday or to work and be present in Jefferson City; and

Whereas, the decision to begin this extraordinary session during Rosh Hashanah could, unfortunately, be viewed as sending a message to the Jewish community throughout this great state that Jewish High Holy Days are not important or deserving of consideration; and

Whereas, in addition to Rosh Hashanah, Yom Kippur, the Day of Atonement, is the most holy day of the year on the Jewish calendar; and

Whereas, inclusion and respect for a diverse legislature and electorate, unless constitutionally required or in the case of emergency, would be best acknowledged by refraining from scheduling legislative session on those holidays, the dates of which differ from year to year; and

Whereas, while celebrated for very different purposes, in terms of their sacred nature, Rosh Hashanah and Yom Kippur are analogous to the Christian sacred holidays of Christmas and Easter; and

Whereas, there is no evidence to suggest that the current scheduling of the extraordinary session was intended to show any ill will toward any person of the Jewish faith; and

Whereas, it is probable that the date of September 10, 2018, was chosen without knowledge of the holiday or its significance when this

extraordinary session was called:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Extraordinary Session of the Second Regular Session, hereby urge all Governors and legislative leaders to refrain from scheduling future regular or extraordinary sessions of the Missouri General Assembly on any important religious holidays such as the Jewish High Holy Days; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor.

CONCURRENT RESOLUTIONS

Senator Chappelle-Nadal offered the following concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION NO. 1

Whereas, all government power originates from the people, is founded upon their will, and is instituted for the good of the whole; and

Whereas, Constitutional Democracies are intended to promote the general welfare of all people; and

Whereas, no person shall be deprived of life, liberty, and the pursuit of happiness; and

Whereas, the United States of America has a long history of denying Black individuals basic human rights; and

Whereas, the early American economy was erected on the backs of slaves; and

Whereas, even after slavery “ended”, Black people were still denied basic human rights in this nation; and

Whereas, White people used coercion, violence, and government regulation to exclude Black people from the prosperity America has enjoyed in abundance; and

Whereas, among the rights refused to Black people after the abolition of slavery was the right to vote, including direct legal prohibitions and indirect prohibitions, via poll taxes and lynch mobs; and

Whereas, Black Americans have never enjoyed the fruits of “blind justice” by this nation; and

Whereas, Black Americans have been denied basic opportunities by this country; and

Whereas, Black Americans have been deprived access to education, voting rights, jobs, and the privilege of equal citizenship; and

Whereas, affording these rights to Black Americans would have raised the Black community to an equal level of opportunity; and

Whereas, Black Americans have suffered nothing less than an institutional robbery by the governing class of this nation; and

Whereas, White supremacy is a force so fundamental to American life that it is impossible to contemplate what this nation is without it; and

Whereas, the income gap between black and white households is roughly the same today as it was in 1970; and

Whereas, reparations would help ease the pain resulting in the long history of racial injustice Black people have faced; and

Whereas, perhaps more significant than the monetary gains reparations would generate, such payments would represent America's maturation concerning the racial history of this nation; and

Whereas, U.S. Senator Claire McCaskill, has the privilege of representing the people of Missouri in the United States Senate; and

Whereas, U.S. Senator Claire McCaskill often claims she supports the Black community and typically receives a large percentage of the Black vote; and

Whereas, as a proud daughter of Missouri, U.S. Senator Claire McCaskill has a duty to promote the general welfare of Missouri citizens; and

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Extraordinary Session of the Second Regular Session, the House of Representatives concurring therein, hereby urge U.S. Senator Claire McCaskill to put forward and support Federal legislation instituting reparations to the Black community; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for U.S. Senator Claire McCaskill.

HOUSE BILLS ON SECOND READING

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

HB 2—Judiciary and Civil and Criminal Jurisprudence.

HB 3—Economic Development.

REFERRALS

President Pro Tem Richard referred **SR 10** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard moved that the appointments of Jon M. Kempker, as a member of the Child Abuse and Neglect Review Board and Jamie E. Kondis, as a member of the Child Abuse and Neglect Review Board, appearing on pages 22 and 23 of the Senate Journal for Wednesday, September 12, 2018, be returned to the Governor, per his request, which motion prevailed.

On motion of Senator Onder, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

RESOLUTIONS

Senator Crawford offered Senate Resolution No. 17, regarding Dave Berry, which was adopted.

Senator Cunningham offered Senate Resolution No. 18, regarding Don Vance, Marshfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 19, regarding Peggy Flood, Thayer, which was adopted.

Senator Cunningham offered Senate Resolution No. 20, regarding Becky Haven, CNA, CMT, which was adopted.

Senator Cunningham offered Senate Resolution No. 21, regarding Sherri Beasley, which was adopted.

Senator Cunningham offered Senate Resolution No. 22, regarding Robert “Bob” Schultheis, Marshfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **HB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 2**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hegeman assumed the Chair.

REFERRALS

President Pro Tem Richard referred **HB 3** to the Committee on Fiscal Oversight.

INTRODUCTION OF GUESTS

Senator Brown introduced to the Senate, Lynn Farrell, Lake Ozark.

Senator Walsh introduced to the Senate, Paul Granberry, III, St. Louis.

Senator Holsman introduced to the Senate, Carol Hallquist, Kansas City.

On motion of Senator Onder, the Senate adjourned until 9:00 a.m., Friday, September 14, 2018.

SENATE CALENDAR

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FIFTH DAY—FRIDAY, SEPTEMBER 14, 2018

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FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HB 3-Fitzwater (Libla) (In Fiscal Oversight)

HB 2-Austin (Dixon)

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 1-Chappelle-Nadal

SR 16-Schupp

SR 15-Chappelle-Nadal

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