

Journal of the Senate

FIRST REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 23, 2019

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“O that today you would listen to his voice!” (Psalm 95:7b)

O Lord Almighty, grant that we may never lose the way through our self-will but remain obedient to accomplish what You have set before us. May our hearts long for goodness and never abandon the struggles we are required to walk through. So keep us in Your eye sight and by Your grace may we not fail You nor the people You would have us serve. And grant O Lord that we may never fail You so that we find freedom and in doing Your will, peace. 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

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator O’Laughlin offered Senate Resolution No. 74, regarding City of Hannibal, which was adopted.

Senator Libla offered Senate Resolution No. 75, regarding Three Rivers College, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 76, regarding Southeast Health Center Stoddard County Auxiliary, which was adopted.

Senator Libla offered Senate Resolution No. 77, regarding William T. Kane, DDS, MBA, which was adopted.

Senator Libla offered Senate Resolution No. 78, regarding LeeAnn Nelson, which was adopted.

Senator Libla offered Senate Resolution No. 79, regarding Bootheel Tool and Machine, which was adopted.

Senator Libla offered Senate Resolution No. 80, regarding The Metro Gallery and The Powder Room, which was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 81

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and seven division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
1	Administrative Assistant	3,432 - 5,556
0.5	Security Specialist	3,696 - 5,440
1	Accounting Specialist	2,970 - 4,176
1	Human Resources Specialist	3,432 - 5,556
6	Administrative/Office Support	3,432 - 5,556
4	Budget Research Analyst II	3,432 - 5,007
1	Budget Research Analyst III	4,071 - 5,917
1	Budget Staff Secretary	2,868 - 4,710
1	Assistant Director - CIS	4,850 - 5,810
3	Computer Information Technologist II	3,000 - 4,710
1	Computer Information Technology Specialist I	2,500 - 4,199
6	Computer Information Technology Specialist II	4,200 - 6,200
1	Assistant Director - Communications	4,250 - 6,888
4	Public Information Specialist I	2,548 - 3,565
2	Resolution Writer	2,868 - 4,071
1	Multimedia Specialist	2,250 - 4,523
1	Photographer	2,868 - 5,250
7	Staff Attorney	4,042 - 6,561
1	Research Analyst	3,432 - 5,007
4	Research Staff Secretary	2,868 - 4,710
1	Assistant Secretary of Senate	4,432 - 6,250

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
1.5	Deputy Secretary of Senate	2,548 - 4,500
1	Enrolling & Engrossing Supervisor	3,432 - 5,556
3	Enrolling & Engrossing Clerk	2,548 - 4,500
1	Legislative Clerk	2,868 - 4,500
2	Journal Production Clerks	2,548 - 4,176
1	Billroom Supervisor	2,548 - 3,565
1	Billroom Clerk	2,195 - 3,500
0.5	Sergeant-at-Arms (Elected)	2,679 - 3,696
6	Assistant Doorkeeper	1,807 - 2,338
0.5	Reading Clerk	1,713 - 2,159
0.25	Chaplain	1,150 - 2,542
1	Network/Communications Specialist	4,071 - 6,500
2	Mailroom/Print Shop Technician	2,548 - 3,565
1	Mailroom Technician II	2,195 - 3,015
1	Printing Services Technician III	2,389 - 3,309
2	Printing Services Technician IV	2,679 - 3,696
1	Maintenance Supervisor	2,868 - 4,071
2.5	Maintenance Worker II	2,679 - 3,696
0.5	Carpenter II	2,500 - 3,500
0.5	Investigator	3,432 - 5,007
1	Library Administrator	3,696 - 5,440
1	Library Clerk	2,465 - 3,432

BE IT FURTHER RESOLVED the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED the Senate Administrator, on behalf of the Committee on Administration, has the authority to reduce, increase, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and the Committee on Administration may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 81** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 81** was adopted.

Senator Wallingford offered Senate Resolution No. 82, regarding Darin Haggett, Patterson, which was adopted.

SECOND READING OF CONCURRENT RESOLUTIONS

The following concurrent resolution was read the 2nd time and referred to the Committee indicated:

SCR 8—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Schatz referred **SCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

CONCURRENT RESOLUTIONS

Senator Rowden offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, Section 29.351 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-Hundredth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 29.351; and

Be It Further Resolved that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

Be It Further Resolved that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

Be It Further Resolved that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

Be It Further Resolved that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; 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 Commissioner of Administration.

Senator Hough offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 11

Relating to designating every November as National American History and Founders Month

Whereas, as we approach our Nation's 250th anniversary in 2026, there is a clear need to empower Americans to be active citizens through greater understanding of our Nation's early history, its founders, and the civic duties within the American experience; and

Whereas, the period beginning with the onset of the American Revolution in 1775 through 1791 encapsulates the events and people responsible for establishing and shaping our country's future. The American Revolution (1775-1783) is one of the most defining events in modern history, both as the rebellion against Great Britain and as the creation of a self-governing and sovereign nation. The Declaration of Independence, the Constitution, and the Bill of Rights will forever set our Nation apart from all others. Our electoral system, our three branches of government in the form of an elected President, an elected Congress, and an independent Supreme Court are well-established and sustaining. These have all set a long enduring, unique and remarkable precedent that many other nations over the past two centuries have sought to replicate; and

Whereas, the purpose of National American History and Founders Month is to create a tradition of educating and celebrating the founding history of our country for all Americans. Furthermore, while there are holidays celebrating key events, leaders, and groups responsible for creating and shaping our Nation, there is no official recognition or formal commemoration of our Nation's early history, its founders and its governmental system. This new recognition and focus offers all Americans an occasion to appreciate the struggle to create a new nation,

the founders who pioneered how this new nation should be governed, and the civic duties of its citizens:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby proclaim each November as “National American History and Founders Month”, and urge public officials at the state and local levels, educators in schools, colleges and universities, librarians, and all the people in the state of Missouri to observe this month with appropriate programs, ceremonies, and activities, and to reaffirm their devotion to the principles of freedom and the common history and heritage shared by all Americans; 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.

INTRODUCTION OF BILLS

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

SB 285—By Hough.

An Act to repeal sections 347.179, 347.183, 358.460, and 358.470, RSMo, and to enact in lieu thereof seventeen new sections relating to the regulation of certain business organizations, with existing penalty provisions.

SB 286—By Hough.

An Act to amend chapter 528, RSMo, by adding thereto eleven new sections relating to the partition of property among heirs.

SB 287—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to a qualifying life event for a special enrollment period.

SB 288—By Wieland.

An Act to repeal section 565.030, RSMo, and to enact in lieu thereof one new section relating to jury instructions for the offense of murder in the first degree.

SB 289—By Wieland.

An Act to amend chapter 386, RSMo, by adding thereto eighteen new sections relating to financing for electrical corporations.

SB 290—By Brown.

An Act to repeal section 302.720, RSMo, and to enact in lieu thereof one new section relating to commercial driver’s licenses.

SB 291—By Wallingford.

An Act to repeal sections 190.292, 190.335, 190.460, and 650.330, RSMo, and to enact in lieu thereof four new sections relating to emergency communication services.

SB 292—By Eigel.

An Act to repeal sections 160.400, 160.405, 160.408, 160.410, 160.415, and 160.425, RSMo, and

to enact in lieu thereof eight new sections relating to charter schools.

SJR 18—By Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri, by adding thereto one new section relating to the verification of the immigration status of certain persons.

SECOND READING OF SENATE BILLS

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

- SB 91**—Transportation, Infrastructure and Public Safety.
- SB 92**—Insurance and Banking.
- SB 93**—Judiciary and Civil and Criminal Jurisprudence.
- SB 94**—Transportation, Infrastructure and Public Safety.
- SB 95**—Small Business and Industry.
- SB 96**—Government Reform.
- SB 97**—Economic Development.
- SB 98**—Insurance and Banking.
- SB 99**—Insurance and Banking.
- SB 100**—Government Reform.
- SB 101**—Seniors, Families and Children.
- SB 102**—Transportation, Infrastructure and Public Safety.
- SB 103**—Insurance and Banking.
- SB 104**—Health and Pensions.
- SB 105**—General Laws.
- SB 106**—Seniors, Families and Children.
- SB 107**—Agriculture, Food Production and Outdoor Resources.
- SB 108**—Ways and Means.
- SB 109**—Local Government and Elections.
- SB 110**—Health and Pensions.
- SB 111**—Transportation, Infrastructure and Public Safety.
- SB 112**—Ways and Means.
- SB 113**—Local Government and Elections.

SB 114—Small Business and Industry.

SB 115—Agriculture, Food Production and Outdoor Resources.

SB 116—Economic Development.

SB 117—Professional Registration.

SB 118—Small Business and Industry.

SB 119—Transportation, Infrastructure and Public Safety.

SB 120—Transportation, Infrastructure and Public Safety.

SB 121—Transportation, Infrastructure and Public Safety.

SB 122—General Laws.

SB 123—Judiciary and Civil and Criminal Jurisprudence.

SB 124—Health and Pensions.

SB 125—Local Government and Elections.

SB 126—Commerce, Consumer Protection, Energy and the Environment.

SB 127—Seniors, Families and Children.

SB 128—Appropriations.

SB 129—Transportation, Infrastructure and Public Safety.

SB 130—Education.

SB 131—Commerce, Consumer Protection, Energy and the Environment.

SB 132—Government Reform.

MESSAGES FROM THE HOUSE

The following message was 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 448 & 206**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Hoskins introduced to the Senate, Markus Ahrens, Mike Croghan, Tom Hilton and Stephanie Richter, St. Louis; Sondra DePriest, Savannah; Rachel Dwiggin, Kansas City; John Gamble, Nixa; Gary Johnson, Ozark; Bob Letterman, Lee's Summit; Tiffany Letterman, Stover; Lorne Meinershagen,

Oak Grove; Nick Myers, Joplin; Jim O'Hallaron, Kirkwood; Chris Slinkard, Diamond; Phil Slinkard, Neosho, and Bob Whelan, Poplar Bluff; representatives of the Missouri Society of Certified Public Accountants.

Senator Hoskins introduced to the Senate, Stephanie Gooden, and her family, Shane, Nikki, Andi and Jaxson, Saline County.

Senator Hegeman introduced to the Senate, Randy and Angela Huffman, Galt.

Senator Nasheed introduced to the Senate, Keshee Dent and Eddie Ross, St. Louis.

Senator Romine introduced to the Senate, Robert Walsh, Ste. Genevieve.

Senator White introduced to the Senate, Linda Scorse and Jerrod Hogan, Joplin; Phillip Slinkard, Carthage; and Nick Myers, Anderson.

Senator Williams introduced to the Senate, the Physician of the Day, Dr. Garry Gaddis, University City.

Senator Eigel introduced to the Senate, Dr. Timothy Larson, Weldon Spring.

Senator Curls introduced to the Senate, Bob Kendrick, Kansas City.

Senator Holsman introduced to the Senate, Dr. Merle A. Nunemaker; and Jill Bleything, Aaron Bumann, Fred Drummond and Dr. Jim Koelbl, representatives of the University of Missouri, Kansas City.

Senator Luetkemeyer introduced to the Senate, Lee Tieman, St. Joseph

Senator Libla introduced to the Senate, Robert Whelan, and Andrew and Mandy Moore, Poplar Bluff.

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

SENATE CALENDAR

NINTH DAY—THURSDAY, JANUARY 24, 2019

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 133-Cunningham

SB 134-Wallingford

SB 135-Sifton

SB 136-Sifton

SB 137-Sifton

SB 138-Riddle

SB 139-Koenig

SB 140-Koenig

SB 141-Koenig	SB 182-Cierpiot, et al
SB 142-Eigel	SB 183-Arthur
SB 143-Cierpiot	SB 184-Wallingford
SB 144-Burlison	SB 185-Wallingford
SB 145-Burlison	SB 186-Hegeman
SB 146-Burlison	SB 187-Eigel
SB 147-Sater	SB 188-Eigel
SB 148-Sifton	SB 189-Crawford
SB 149-Koenig	SB 190-Onder
SB 150-Koenig	SB 191-Schupp
SB 151-Koenig	SB 192-Schupp
SB 152-Holsman	SB 193-Schupp
SB 153-Sifton	SB 194-Hoskins
SB 154-Luetkemeyer	SB 195-Hoskins
SB 155-Luetkemeyer	SB 196-Bernskoetter
SB 156-Wallingford	SB 197-Onder
SB 157-Wallingford	SB 198-Onder
SB 158-Eigel	SB 199-Arthur
SB 159-Sifton	SB 200-Hough
SB 160-Koenig	SB 201-Romine
SB 161-Cunningham	SB 202-Romine
SB 162-Schupp	SB 203-Nasheed
SB 163-Schupp	SB 204-Riddle
SB 164-Schupp	SB 205-Arthur
SB 165-Eigel	SB 206-Arthur
SB 166-Crawford	SB 207-Emery
SB 167-Crawford	SB 208-Wallingford
SB 168-Wallingford	SB 209-May
SB 169-Wallingford	SB 210-May
SB 170-Schupp	SB 211-Wallingford
SB 171-Schupp	SB 212-Sifton
SB 172-Schupp	SB 213-Hegeman
SB 173-Crawford	SB 215-Schupp
SB 174-Crawford	SB 216-Schupp
SB 175-Crawford	SB 217-Schupp
SB 176-Hough	SB 218-Hoskins
SB 177-Hough	SB 219-Hoskins
SB 178-Schupp	SB 220-Hoskins
SB 179-Cunningham	SB 221-Crawford
SB 180-Wallingford	SB 222-Hough

SB 223-Brown	SB 263-Schupp
SB 224-Luetkemeyer	SB 264-Crawford
SB 225-Curls	SB 265-Luetkemeyer
SB 226-Sater	SB 266-Wieland
SB 227-Sater	SB 267-Wieland
SB 228-Sater	SB 268-Wieland
SB 229-Crawford	SB 269-Eigel
SB 230-Crawford	SB 270-White and Crawford
SB 231-Hough	SB 271-Emery
SB 232-Sater	SB 272-Emery
SB 233-Sater	SB 273-Emery
SB 234-White	SB 274-Sater
SB 235-White	SB 275-Sater
SB 236-White	SB 276-Rowden
SB 237-White	SB 277-Crawford
SB 238-Emery	SB 278-Wallingford
SB 239-White	SB 279-Onder and Emery
SB 240-White	SB 280-Sater
SB 241-Rizzo	SB 281-Brown
SB 242-Walsh	SB 282-Brown
SB 243-Walsh	SB 283-Hoskins
SB 244-Walsh	SB 284-Hoskins
SB 245-Walsh	SB 285-Hough
SB 246-Hough	SB 286-Hough
SB 247-Hough	SB 287-Wieland
SB 248-Brown	SB 288-Wieland
SB 249-Koenig	SB 289-Wieland
SB 250-Koenig	SB 290-Brown
SB 251-Koenig	SB 291-Wallingford
SB 252-Wieland	SB 292-Eigel
SB 253-Sater	SJR 1-Sater and Onder
SB 254-Bernskoetter	SJR 2-Emery
SB 255-Bernskoetter	SJR 3-Hegeman
SB 256-Hegeman	SJR 4-Eigel
SB 257-Hoskins	SJR 5-Eigel
SB 258-Wallingford	SJR 6-Eigel
SB 259-Romine	SJR 7-Cierpiot
SB 260-Onder	SJR 8-Cierpiot
SB 261-Nasheed	SJR 9-Cierpiot
SB 262-Sater	SJR 10-Burlison

SJR 11-Burlison
SJR 12-Eigel
SJR 13-Holsman
SJR 14-Luetkemeyer

SJR 15-Holsman
SJR 16-Sifton
SJR 17-Nasheed
SJR 18-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HBs 448 & 206

INFORMAL CALENDAR

RESOLUTIONS

SR 20-Holsman

To be Referred

SCR 10-Rowden

SCR 11-Hough

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