

# Journal of the Senate

FIRST REGULAR SESSION

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**TWENTY-FIRST DAY—THURSDAY, FEBRUARY 14, 2019**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Enjoy life with your wife whom you love...” (Ecclesiastes 9:9a)

Loving God, on this celebrated day of love let us truly remember the one You have given to us to love and to tell them that we truly do love them. Help us also to be more loving to those You have placed in our lives and show our appreciation for all they do for us and with us. Every day help us to learn more of Your love, so we may truly seek to do so for others as you have done for 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.

Senator Rowden announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Hoskins	Hough	Koenig
Libla	Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators

Holsman            Nasheed—2

Vacancies—None

The Lieutenant Governor was present.

**CONCURRENT RESOLUTIONS**

Senator Wieland offered the following concurrent resolution:

## SENATE CONCURRENT RESOLUTION NO. 17

Whereas, hazard mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. It is most effective when implemented under a comprehensive, long-term mitigation plan; and

Whereas, the Pre-Disaster Mitigation Grant Program, administered by the Federal Emergency Management Agency, is designed to assist states and local communities in implementing sustained pre-disaster natural hazard mitigation programs; and

Whereas, federal legislation recently enacted, the Disaster Recovery Reform Act, makes available new dollars for states and communities to undertake pre-disaster mitigation measures and creates new incentives for states to build resiliently; and

Whereas, since 1908 natural disasters have cost the country more than one trillion dollars; and

Whereas, disasters affect the local and state economies in lost payrolls, lost sales and income tax, and increased disaster recovery times; and

Whereas, according to a FEMA commissioned study conducted by the National Institute of Building Sciences, every 1 spent on hazard mitigation provides the nation with 6 in future benefits; and

Whereas, twenty-five percent of small businesses that are impacted by a natural disaster never reopen their doors; and

Whereas, September is National Preparedness Month in recognition of the need for all Americans to prepare and plan for recovery after a disaster; and

Whereas, mitigation planning is a key process used to break the cycle of disaster damage, reconstruction, and repeated damage; and

Whereas, effective pre-disaster mitigation reduces the demand for relief services on volunteer organizations such as disaster rescue and recovery teams, along with food banks and homeless shelters, who serve our communities by changing their operations to provide additional services to those affected by disaster; and

Whereas, this body honors the brave men and women who, as first responders, selflessly provide aid in a disaster to safeguard Missouri citizens; and

Whereas, this body encourages Missouri communities to build resiliently and develop long-range mitigation strategies for protecting people and property from future hazard events:

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 declare the week of September 1-7, 2019, as “Resiliency Week” to raise public awareness about the continuing need to plan for future disasters by instituting a pre-disaster mitigation strategy.

**INTRODUCTION OF BILLS**

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

**SB 388**—By Burlison, Onder, Romine, Hoskins, Wallingford, Brown, Eigel, Emery and Koenig.

An Act to repeal section 188.035, RSMo, and to enact in lieu thereof one new section relating to abortion, with penalty provisions.

**SB 389**—By Burlison.

An Act to repeal section 537.600, RSMo, and to enact in lieu thereof one new section relating to employees of multistate compact agencies.

**SB 390**—By Wallingford.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to hospital workplace violence prevention plans.

**SB 391**—By Bernskoetter.

An Act to repeal section 192.300, RSMo, and to enact in lieu thereof one new section relating to county health ordinances, with an existing penalty provision.

**SB 392**—By Wieland.

An Act to amend chapter 479, RSMo, by adding thereto one new section relating to case management systems for municipal courts.

**SJR 21**—By May.

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing Section 30(a) of Article VI of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to county consolidation.

President Pro Tem Schatz assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SB 20**; **SCS** for **SB 6**; and **SCS** for **SB 89**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 30**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 134**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 14**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following report:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 179**, begs leave

to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Riddle, Chairman of the Committee on Professional Registration, Senator Rowden submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 164**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 36**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hoskins, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 90**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 154**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 197**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 72**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which were referred **SB 46** and **SB 50**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 53**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 196**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cierpiot, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 182**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 57**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 84**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 133**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Luetkemeyer, 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 **SB 194**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rowden, 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 was referred **SCR 14**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 12**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 28**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

President Kehoe assumed the Chair.

### **THIRD READING OF SENATE BILLS**

**SB 20**, introduced by Senator Libla, entitled:

An Act to repeal section 488.5050, RSMo, and to enact in lieu thereof one new section relating to the

expiration of a court surcharge for deposit in the DNA profiling analysis fund.

Was taken up.

On motion of Senator Libla, **SB 20** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Hoskins	Hough	Koenig
Libla	Luetkemeyer	May	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman	Nasheed	Riddle—3
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Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

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

**SCS for SB 89**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 89

An Act to repeal sections 302.170, 302.720, and 302.768, RSMo, and to enact in lieu thereof three new sections relating to commercial driver's licenses, with existing penalty provisions.

Was taken up by Senator Libla.

On motion of Senator Libla, **SCS for SB 89** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Hoskins	Hough	Koenig
Libla	Luetkemeyer	May	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman Nasheed Riddle—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

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

SCS for SB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 6

An Act to repeal sections 195.010, 195.015, 195.017, 263.250, 556.061, 565.021, 579.015, 579.020, 579.065, and 579.068, RSMo, and to enact in lieu thereof eleven new sections relating to controlled substances, with penalty provisions.

Was taken up by Senator Sater.

On motion of Senator Sater, SCS for SB 6 was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Hoskins	Hough	Koenig
Libla	Luetkemeyer	May	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman Nasheed Riddle—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

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

SS for SB 38, introduced by Senator Onder, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 38

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to the employer-employee relationship.

Was taken up.

On motion of Senator Onder, **SS** for **SB 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Romine	Rowden	Sater	Schatz
Wallingford	White	Wieland—24				

NAYS—Senators

Arthur	Curls	Rizzo	Schupp	Sifton	Walsh	Williams—7
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Absent—Senators—None

Absent with leave—Senators

Holsman	Nasheed	Riddle—3
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Vacancies—None

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

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

**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 **HB 182**, entitled:

An Act to repeal section 374.191, RSMo, and to enact in lieu thereof one new section relating to interest rates on payments by insurers.

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 280**, entitled:

An Act to repeal section 300.295, RSMo, and to enact in lieu thereof one new section relating to railroad grade crossings.



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 108**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto two new sections relating to mental health awareness month.

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 72**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to celiac awareness day.

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 185**, entitled:

An Act to repeal section 210.1014, RSMo, and to enact in lieu thereof one new section relating to the Amber Alert System.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **SECOND READING OF SENATE BILLS**

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

**SB 293**—Commerce, Consumer Protection, Energy and the Environment.

**SB 294**—Insurance and Banking.

**SB 295**—Education.

**SB 296**—Commerce, Consumer Protection, Energy and the Environment.

**SB 297**—Judiciary and Civil and Criminal Jurisprudence.

**SB 298**—Health and Pensions.

**SB 299**—Ways and Means.

**SB 300**—General Laws.

**SB 301**—General Laws.

**SB 302**—Insurance and Banking.

- SB 303**—Professional Registration.
- SB 304**—General Laws.
- SB 305**—Seniors, Families and Children.
- SB 306**—Veterans and Military Affairs.
- SB 307**—Judiciary and Civil and Criminal Jurisprudence.
- SB 308**—Government Reform.
- SB 309**—Health and Pensions.
- SB 310**—Seniors, Families and Children.
- SB 311**—Economic Development.
- SB 312**—Health and Pensions.
- SB 313**—Small Business and Industry.
- SB 314**—Education.
- SB 315**—Professional Registration.
- SB 316**—Insurance and Banking.
- SB 317**—Government Reform.
- SB 318**—Professional Registration.
- SB 319**—Small Business and Industry.
- SB 320**—Progress and Development.
- SB 321**—Local Government and Elections.
- SB 322**—Economic Development.
- SB 323**—Transportation, Infrastructure and Public Safety.
- SB 324**—Local Government and Elections.
- SB 325**—Agriculture, Food Production and Outdoor Resources.
- SB 326**—Local Government and Elections.
- SB 327**—Progress and Development.
- SB 328**—Government Reform.
- SB 329**—General Laws.
- SB 330**—Transportation, Infrastructure and Public Safety.
- SB 331**—Transportation, Infrastructure and Public Safety.
- SB 332**—Transportation, Infrastructure and Public Safety.

**SB 333**—Local Government and Elections.

**HOUSE BILLS ON SECOND READING**

The following Bill was read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 397**—Seniors, Families and Children.

**INTRODUCTIONS OF GUESTS**

Senator Hoskins introduced to the Senate, Marybeth Bruns, Wardsville.

Senator O’Laughlin introduced to the Senate, Deborah Barrett, Bowling Green; and Gale Frolos, Frankfort.

Senator Schupp introduced to the Senate, her husband, Mark, Creve Coeur.

Senator Brown introduced to the Senate, the Physician of the Day, Dr. Evelyn Aboagye, Rolla; and Dr. Alexandra James, Columbia.

Senator Hegeman introduced to the Senate, Mary Quinley and Amy May.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, February 18, 2019.

**SENATE CALENDAR**

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TWENTY-SECOND DAY—MONDAY, FEBRUARY 18, 2019

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**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

SB 334-Onder	SB 346-Schupp
SB 335-Onder	SB 347-Burlison
SB 336-Schupp	SB 348-O’Laughlin
SB 337-Wieland	SB 349-O’Laughlin
SB 338-Wieland	SB 350-O’Laughlin
SB 339-Wieland	SB 351-Williams
SB 340-Wieland	SB 352-Williams
SB 341-Wieland	SB 353-Emery
SB 342-Curls	SB 354-Cierpiot
SB 343-Eigel	SB 355-Cierpiot
SB 344-Eigel	SB 356-Bernskoetter
SB 345-Koenig, et al	SB 357-Sater

SB 358-Sater	SB 379-Romine
SB 359-Eigel	SB 380-Hough
SB 360-Crawford	SB 381-Onder
SB 361-Riddle	SB 382-Emery
SB 362-Riddle	SB 383-Emery
SB 363-Riddle	SB 384-Schupp
SB 364-Williams	SB 385-Bernskoetter
SB 365-Hoskins	SB 386-O'Laughlin
SB 366-Hoskins	SB 387-Hough
SB 367-Burlison	SB 388-Burlison, et al
SB 368-Hough	SB 389-Burlison
SB 369-Brown	SB 390-Wallingford
SB 370-Brown	SB 391-Bernskoetter
SB 371-Eigel	SB 392-Wieland
SB 372-Hoskins	SJR 16-Sifton
SB 373-Schupp	SJR 17-Nasheed
SB 374-Burlison	SJR 18-Cunningham
SB 375-Riddle	SJR 19-Nasheed
SB 376-Riddle	SJR 20-Koenig
SB 377-Riddle	SJR 21-May
SB 378-Hough	

#### HOUSE BILLS ON SECOND READING

HCS for HB 67	HB 280-Ruth
HB 445-Dogan	HB 108-Sommer
HB 188-Rehder	HB 72-Tate
HB 182-Shull	HCS for HB 185

#### THIRD READING OF SENATE BILLS

SS for SCS for SB 28-Hegeman

#### SENATE BILLS FOR PERFECTION

- |                             |                           |
|-----------------------------|---------------------------|
| 1. SB 56-Cierpiot, with SCS | 4. SB 16-Romine, with SCS |
| 2. SB 21-Libla              | 5. SB 134-Wallingford     |
| 3. SB 30-Hegeman, with SCS  | 6. SB 14-Wallingford      |

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|----------------------------------|------------------------------|
| 7. SB 36-Riddle                  | 13. SB 53-Crawford           |
| 8. SB 90-Libla, with SCS         | 14. SB 196-Bernskoetter      |
| 9. SB 154-Luetkemeyer            | 15. SB 182-Cierpiot, et al   |
| 10. SB 197-Onder, with SCS       | 16. SB 57-Cierpiot           |
| 11. SB 72-O'Laughlin and Emery   | 17. SB 133-Cunningham        |
| 12. SBs 46 & 50-Koenig, with SCS | 18. SB 194-Hoskins, with SCS |

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |   |                         |
|---|-------------------------|
| SB 4-Sater  | SB 49-Rowden, with SCS  |
| SB 7-Emery  | SB 160-Koenig, with SCS |
| SB 39-Onder                                       |                         |
| SB 44-Hoskins, with SCS & SS for SCS<br>(pending) |                         |

#### CONSENT CALENDAR

##### Senate Bills

Reported 2/7

- |                        |                |
|------------------------|----------------|
| SB 131-Emery, with SCS | SB 54-Crawford |
| SB 103-Schupp          |                |

Reported 2/14

- |                            |                  |
|----------------------------|------------------|
| SB 83-Cunningham, with SCS | SB 164-Schupp    |
| SB 179-Cunningham          | SB 84-Cunningham |

#### RESOLUTIONS

- SR 20-Holsman

Reported from Committee

SCR 4-Curls, et al  
SCR 5-Wallingford  
SCR 6-Schupp

SCR 10-Rowden  
SCR 12-Sater  
SCR 14-Schatz

To be Referred

SCR 17-Wieland

