

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 25, 2019

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“The God who has girded me with strength has opened wide my path.” (2 Samuel 22:33)

We thank You Lord for bringing us to this new day and the brightness of the morning as we made our way to this place. We call to You and You hear our request so that what we do this day and new week are as You would desire us to complete. We are ready to help our colleagues and those who come to us for assistance. Let us always be among those who do what is needful without delay. 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, February 21, 2019 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	O’Laughlin	Onder	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Nasheed —1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senators O’Laughlin and Hegeman offered Senate Resolution No. 306, regarding Adair County SB40

Developmental Disability Board, which was adopted.

Senator Riddle offered Senate Resolution No. 307, regarding the Forty-fifth Wedding Anniversary of Howard and Leota Shoemyer, which was adopted.

Senator Burlison offered Senate Resolution No. 308, regarding Eagle Scout Quinten Milligan, Ozark, which was adopted.

Senator White offered Senate Resolution No. 309, regarding Joplin High School Army Junior Reserve Officer Training Corps, which was adopted.

Senator Crawford offered Senate Resolution No. 310, regarding Class 1 State Champion Lebanon High School Lady Wrestling Yellowjackets, which was adopted.

Senator Hoskins offered Senate Resolution No. 311, regarding Jamie Straisinger, Warrensburg, which was adopted.

Senator Holsman offered the following resolution:

SENATE RESOLUTION NO. 312

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the 7th District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the One-hundredth General Assembly, First Regular Session, that Senate Rule 91, be amended to read as follows:

Rule 91. Every senator who is within the bar of the senate when a question is put shall assume his or her seat, and shall vote when his or her name is called unless the [senate] **senator**, for special reasons, excuses [him or her] **himself or herself from voting**. [All motions to excuse a senator] **A senator shall seek to excuse himself or herself** from voting [shall be made] before the senate divides, or before the call for yeas and nays is commenced. In taking the yeas and nays, each senator shall declare distinctly his or her vote yea or nay. In the event a senator within the chamber refuses to cast his or her vote, then, at the direction of the president, he or she shall be removed from the chamber and such action noted in the Journal.

Senator Riddle offered Senate Resolution No. 313, regarding Trevor Bodine, which was adopted.

INTRODUCTION OF BILLS

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

SB 430—By Libla.

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes, with an emergency clause.

SB 431—By Schatz.

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 572.010, and 572.100, RSMo, and to enact in lieu thereof seven new sections relating to illegal gambling, with existing penalty provisions.

SB 432—By Sifton.

An Act to repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to the ticket to work health assurance program.

SB 433—By Onder.

An Act to repeal section 556.061, RSMo, and to enact in lieu thereof two new sections relating to the

offense of vehicle hijacking, with penalty provisions.

SB 434—By Riddle.

An Act to repeal section 217.195, RSMo, and to enact in lieu thereof one new section relating to the inmate canteen fund.

SB 435—By White.

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection control data reporting, with existing penalty provisions.

SB 436—By Hoskins.

An Act to repeal section 571.010, RSMo, and to enact in lieu thereof one new section relating to fugitives from justice.

SB 437—By Hoskins.

An Act to repeal section 68.040, RSMo, and to enact in lieu thereof one new section relating to bonds issued by certain port authorities.

SB 438—By Brown.

An Act to repeal section 208.918, RSMo, and to enact in lieu thereof one new section relating to consumer-directed services vendors.

SB 439—By Brown.

An Act to repeal section 30.753, RSMo, and to enact in lieu thereof one new section relating to investments in linked deposits by the state treasurer.

SB 440—By Brown.

An Act to repeal section 210.565, RSMo, and to enact in lieu thereof one new section relating to foster home placement.

SB 441—By Hough.

An Act to repeal sections 208.152 and 208.906, RSMo, and to enact in lieu thereof three new sections relating to MO HealthNet home and community-based services.

SB 442—By Wieland.

An Act to repeal section 407.292, RSMo, and to enact in lieu thereof one new section relating to buyers of precious metals, with penalty provisions.

SJR 23—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, 7, and 19 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

SJR 24—By Cierpiot.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the

Constitution of Missouri, by adding thereto one new section relating to voter turnout thresholds for tax increases.

REFERRALS

President Pro Tem Schatz referred **SCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator O’Laughlin moved that **SB 72** be taken up for perfection, which motion prevailed.

On motion of Senator O’Laughlin, **SB 72** was declared perfected and ordered printed.

At the request of Senator Koenig, **SB 46** and **SB 50**, with **SCS**, was placed on the Informal Calendar.

Senator Crawford moved that **SB 53** be taken up for perfection, which motion prevailed.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 53, Page 2, Section 54.140, Line 22, by inserting after all of said line the following:

“64.805. The county planning commission shall consist of the county highway engineer, and one resident of the county appointed by the county commission, from the unincorporated part of each township in the county, except that no such person shall be appointed from a township in which there is no unincorporated area. The township representatives are hereinafter referred to as appointed members. The term of each appointed member shall be four years or until a successor takes office, except that the terms shall be overlapping and that the respective terms of the members first appointed may be less than four years. The term of the county highway engineer shall be only for the duration of the engineer's tenure of official position. All members of the county planning commission shall serve as such without compensation, except that an attendance fee as reimbursement for expenses may be paid to the appointed members of the county planning commission in an amount, as set by the county commission, not to exceed [twenty-five] **thirty-five** dollars per meeting. The planning commission shall elect its chairman, who shall serve for one year.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Crawford, **SB 53**, as amended, was declared perfected and ordered printed.

Senator Bernskoetter moved that **SB 196** be taken up for perfection, which motion prevailed.

On motion of Senator Bernskoetter, **SB 196** was declared perfected and ordered printed.

Senator Cierpiot moved that **SB 182** be taken up for perfection, which motion prevailed.

On motion of Senator Cierpiot, **SB 182** was declared perfected and ordered printed.

Senator Cierpiot moved that **SB 57** be taken up for perfection, which motion prevailed.

At the request of Senator Cierpiot, **SB 57** was placed on the Informal Calendar.

Senator Cunningham moved that **SB 133** be taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 133** was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SB 36, introduced by Senator Riddle, entitled:

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

Was taken up.

Pursuant to Senate Rule 91, Senator Holsman requested unanimous consent of the Senate to be excused from voting on the 3rd reading of **SB 36**, which request was granted.

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

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Curls	Libla	May	Romine—4
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Excused from voting—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Hoskins moved that **SB 194**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 194**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 194**

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the offense of unlawful use of unmanned aircraft near a correctional center, with penalty provisions.

Was taken up.

Senator Hoskins moved that **SCS** for **SB 194** be adopted.

Senator Hoskins offered **SS** for **SCS** for **SB 194**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 194

An Act to amend chapters 217 and 632, RSMo, by adding thereto two new sections relating to the unlawful use of unmanned aircraft, with penalty provisions.

Senator Hoskins moved that **SS** for **SCS** for **SB 194** be adopted.

At the request of Senator Hoskins, **SB 194**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

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 **HB 303**, entitled:

An Act to repeal section 217.195, RSMo, and to enact in lieu thereof two new sections relating to inmate canteen funds.

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 70**, entitled:

An Act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to the offense of possession of unlawful items in a prison or jail, with penalty provisions.

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 461**, entitled:

An Act to repeal sections 36.020, 193.145, 193.265, and 194.119, RSMo, and to enact in lieu thereof four new sections relating to the disposition of human remains.

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 239**, entitled:

An Act to repeal sections 579.065 and 579.068, RSMo, and to enact in lieu thereof two new sections relating to controlled substance offenses, with penalty provisions.

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 354**, entitled:

An Act to repeal sections 409.605, 409.610, 409.615, 409.620, 409.625, 409.630, 409.4-412, 409.5-501, and 409.6-604, RSMo, and to enact in lieu thereof nine new sections relating to the financial protection of vulnerable populations, with penalty provisions.

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 441**, entitled:

An Act to repeal section 337.068, RSMo, and to enact in lieu thereof one new section relating to prisoner complaints against a psychologist's license.

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 138**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to life-sustaining treatment policies of health care facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

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 were referred **SB 182**; **SB 53**; **SB 196**; **SB 133**; and **SB 72**, 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.

INTRODUCTIONS OF GUESTS

Senator White introduced to the Senate, Chris Yaudas, Joplin; and Carrie Cline, Neosho.

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

SENATE CALENDAR

 TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 26, 2019

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 364-Williams	SB 394-O'Laughlin
SB 365-Hoskins	SB 395-Rizzo
SB 366-Hoskins	SB 396-Onder
SB 367-Burlison	SB 397-White
SB 368-Hough	SB 398-White
SB 369-Brown	SB 399-Burlison
SB 370-Brown	SB 400-Burlison
SB 371-Eigel	SB 401-Burlison
SB 372-Hoskins	SB 402-Eigel
SB 373-Schupp	SB 403-Eigel
SB 374-Burlison	SB 404-Nasheed
SB 375-Riddle	SB 405-Wallingford
SB 376-Riddle	SB 406-Wallingford
SB 377-Riddle	SB 407-Wallingford
SB 378-Hough	SB 408-May
SB 379-Romine	SB 409-Wieland, et al
SB 380-Hough	SB 410-Koenig
SB 381-Onder	SB 411-Romine
SB 382-Emery	SB 412-Holsman
SB 383-Emery	SB 413-Sater
SB 384-Schupp	SB 414-Wieland
SB 385-Bernskoetter	SB 415-Bernskoetter
SB 386-O'Laughlin	SB 416-Bernskoetter
SB 387-Hough	SB 417-White
SB 388-Burlison, et al	SB 418-White
SB 389-Burlison	SB 419-Riddle
SB 390-Wallingford	SB 420-Riddle
SB 391-Bernskoetter	SB 421-Wallingford
SB 392-Wieland	SB 422-White
SB 393-Hough	SB 423-Cunningham

SB 424-Luetkemeyer
SB 425-Cierpiot
SB 426-Williams
SB 427-Wieland
SB 428-Hough
SB 429-Wallingford
SB 430-Libla
SB 431-Schatz
SB 432-Sifton
SB 433-Onder
SB 434-Riddle

SB 435-White
SB 436-Hoskins
SB 437-Hoskins
SB 438-Brown
SB 439-Brown
SB 440-Brown
SB 441-Hough
SB 442-Wieland
SJR 22-Nasheed
SJR 23-Eigel
SJR 24-Cierpiot

HOUSE BILLS ON SECOND READING

HB 445-Dogan
HB 188-Rehder
HB 182-Shull
HB 280-Ruth
HB 108-Sommer
HB 72-Tate
HCS for HB 185
HCS for HB 255
HB 214-Trent
HB 77-Black
HCS for HB 447
HCS for HBs 243 & 544
HB 283-Anderson

HCS for HB 324
HB 113-Smith
HB 321-Solon
HB 402-Basye
HCS for HB 242
HCS for HB 303
HB 70-Dinkins
HB 461-Pfautsch
HCS for HB 239
HCS for HB 354
HB 441-Fitzwater
HB 138-Kidd

THIRD READING OF SENATE BILLS

SS for SCS for SB 197-Onder
SB 182-Cierpiot, et al
SB 53-Crawford

SB 196-Bernskoetter
SB 133-Cunningham
SB 72-O'Laughlin and Emery

SENATE BILLS FOR PERFECTION

1. SB 76-Sater, with SCS
2. SB 132-Emery, with SCS

3. SB 65-White
4. SB 100-Riddle

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| 5. SB 69-Hough | 13. SB 283-Hoskins |
| 6. SB 291-Wallingford, with SCS | 14. SB 180-Wallingford, with SCS |
| 7. SB 252-Wieland, with SCS | 15. SB 10-Cunningham, with SCS |
| 8. SB 167-Crawford, with SCS | 16. SB 224-Luetkemeyer |
| 9. SB 45-Hoskins, with SCS | 17. SBs 12 & 123-Cunningham, with SCS |
| 10. SB 292-Eigel, with SCS | 18. SB 9-Emery, with SCS |
| 11. SB 213-Hegeman | 19. SJR 2-Emery, with SCS |
| 12. SB 184-Wallingford, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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| SB 4-Sater | SB 49-Rowden, with SCS |
| SB 7-Emery | SB 56-Cierpiot, with SCS, SA 1 & SA 1 to
SA 1 (pending) |
| SB 14-Wallingford | SB 57-Cierpiot |
| SB 16-Romine, with SCS, SS for SCS, SA 3
& point of order (pending) | SB 154-Luetkemeyer, with SS & SA 2
(pending) |
| SB 30-Hegeman, with SCS | SB 160-Koenig, with SCS |
| SB 39-Onder | SB 194-Hoskins, with SCS & SS for SCS
(pending) |
| SB 44-Hoskins, with SCS & SS for SCS
(pending) | |
| SBs 46 & 50-Koenig, with SCS | |

CONSENT CALENDAR

Senate Bills

Reported 2/7

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

Reported 2/14

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

Reported 2/21

SB 147-Sater, with SCS

SB 267-Wieland, with SCS

RESOLUTIONS

SR 20-Holsman

SR 312-Holsman

Reported from Committee

SCR 4-Curls, et al
SCR 11-Hough

SCR 14-Schatz

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