

Journal of the Senate

FIRST REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 24, 2019

The Senate met pursuant to adjournment.

Senator Onder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O taste and see that the Lord is good; happy are those who take refuge in him.” (Psalm 34:8)

Gracious God, we are thankful that You continue to provide us with Your loving kindness so we may truly know the happiness that is before us. Let us share this joy and happiness You have given us with those we love and may we extend Your glow of caring with those we meet this weekend and join in praise and thanksgiving in Your house of prayer. 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	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

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 83, regarding Alex Smith, Parnell, which was adopted.

Senator Hegeman offered Senate Resolution No. 84, regarding Kaci Persell, Trenton, which was adopted.

Senator White offered Senate Resolution No. 85, regarding Remy Braun, Carthage, which was adopted.

Senator Onder offered Senate Resolution No. 86, regarding Lauren Haley, Dardenne Prairie, which was adopted.

Senator Sater offered Senate Resolution No. 87, regarding Clarence Bradley “Brad” Ruggles, Cassville, which was adopted.

Senator Hoskins offered Senate Resolution No. 88, regarding Kyle Gann, Marshall, which was adopted.

Senator Hoskins offered Senate Resolution No. 89, regarding Nicholas Newton, Marshall, which was adopted.

Senator Schatz offered Senate Resolution No. 90, regarding Wesley Tyree, Sullivan, which was adopted.

Senator Riddle offered Senate Resolution No. 91, regarding Detective Mark Edwards, which was adopted.

Senator Cunningham offered Senate Resolution No. 92, regarding Pierce Ford, Licking, which was adopted.

Senator Cunningham offered Senate Resolution No. 93, regarding Kaitlyn Davis, Summersville, which was adopted.

Senator Schatz offered Senate Resolution No. 94, regarding Eagle Scout Michael Sebastian Laurentius, Chesterfield, which was adopted.

Senator Rowden offered Senate Resolution No. 95, regarding Ryli Jetton, Ashland, which was adopted.

Senator Rowden offered Senate Resolution No. 96, regarding Haley Acton, Hallsville, which was adopted.

Senator Rowden offered Senate Resolution No. 97, regarding Shelby Manning, Pilot Grove, which was adopted.

Senator Rowden offered Senate Resolution No. 98, regarding Kellen Smith, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 99, regarding Evan Howard, Rolla, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 100, regarding Girl Scout Brownie Troop 2801, Kansas City, which was adopted.

Senator Riddle offered Senate Resolution No. 101, regarding Chloe Momphard, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 102, regarding Regan Ragsdale, Holliday, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 103, regarding Adriene Aubuchon, Owensville, which was adopted.

Senator Riddle offered Senate Resolution No. 104, regarding Madison Bader, Hermann, which was adopted.

Senator Libla offered Senate Resolution No. 105, regarding Quentin Carlyle, East Prairie, which was

adopted.

Senator Hoskins offered Senate Resolution No. 106, regarding Shelby Davies, Dawn, which was adopted.

Senator Hegeman offered Senate Resolution No. 107, regarding Madelyn Derks, King City, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 108, regarding Hattie Grisham, Eldon, which was adopted.

Senator Hoskins offered Senate Resolution No. 109, regarding Alexandria Lock, Carrollton, which was adopted.

Senator Sater offered Senate Resolution No. 110, regarding McKenzie Loftis, Mount Vernon, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 111, regarding Audrey Martin, Bucklin, which was adopted.

Senator White offered Senate Resolution No. 112, regarding Andi Montgomery, Everton, which was adopted.

Senator Emery offered Senate Resolution No. 113, regarding Paxton Dahmer, Nevada, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 114, regarding Dillon Reinitz, Brunswick, which was adopted.

Senator Rowden offered Senate Resolution No. 115, regarding Ryan Siegel, Otterville, which was adopted.

Senator Hoskins offered Senate Resolution No. 116, regarding Hannah Viets, Sweet Springs, which was adopted.

Senator Riddle offered Senate Resolution No. 117, regarding Mckenzie Branson, Warrenton, which was adopted.

Senator Emery offered Senate Resolution No. 118, regarding Kaitlyn Davis, Lamar, which was adopted.

Senator Brown offered Senate Resolution No. 119, regarding Bethany Donnell, Davisville, which was adopted.

Senator Rowden offered Senate Resolution No. 120, regarding Justin Eddy, Rocheport, which was adopted.

Senator Wallingford offered Senate Resolution No. 121, regarding Morgan Crutsinger, Whitewater, which was adopted.

Senator Emery offered Senate Resolution No. 122, regarding Brendon Engeman, Montrose, which was adopted.

Senator Crawford offered Senate Resolution No. 123, regarding Logan Phillips, Lebanon, which was adopted.

Senator Koenig offered Senate Resolution No. 124, regarding Anushka Ramgounda, Ballwin, which

was adopted.

Senator Hegeman offered Senate Resolution No. 125, regarding Anderson Rogers, Bethany, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 126, regarding Zachary Rosenkrans, Palmyra, which was adopted.

Senator Wallingford offered Senate Resolution No. 127, regarding Nevin Sharkey, Sikeston, which was adopted.

Senator Hoskins offered Senate Resolution No. 128, regarding Kara Smith, Warrensburg, which was adopted.

Senator Schatz offered Senate Resolution No. 129, regarding Rachel Smith, Villa Ridge, which was adopted.

Senator Hoskins offered Senate Resolution No. 130, regarding Morgan Starbuck, Warrensburg, which was adopted.

Senator Sater offered Senate Resolution No. 131, regarding Blake Wright, Verona, which was adopted.

INTRODUCTION OF BILLS

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

SB 293—By Hough.

An Act to amend chapter 569, RSMo, by adding thereto one new section relating to criminal offenses involving critical infrastructure facilities, with penalty provisions and an emergency clause.

SB 294—By Hough.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation for firefighters.

SB 295—By Hough.

An Act to repeal section 168.133, RSMo, and to enact in lieu thereof one new section relating to criminal background checks for volunteers at elementary and secondary education facilities.

SB 296—By Cierpiot.

An Act to repeal section 386.020, RSMo, and to enact in lieu thereof one new section relating to electric vehicle charging stations.

SB 297—By White.

An Act to repeal section 494.430, RSMo, and to enact in lieu thereof one new section relating to jury duty.

SB 298—By White.

An Act to repeal sections 374.500, 376.1350, 376.1356, 376.1363, 376.1372, 376.1385, and 376.1387, RSMo, and to enact in lieu thereof ten new sections relating to payments for health care services.

SB 299—By Rizzo and Holsman.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax, with an emergency clause.

SB 300—By Eigel.

An Act to repeal section 139.031, RSMo, and to enact in lieu thereof one new section relating to protested taxes.

SB 301—By Eigel.

An Act to repeal sections 70.220, 160.405, and 355.846, RSMo, and to enact in lieu thereof four new sections relating to not for profit entities.

SB 302—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health carrier reimbursements.

SB 303—By Riddle.

An Act to amend chapter 334, RSMo, by adding thereto seven new sections relating to radiologic imaging and radiation therapy licensure, with penalty provisions.

SB 304—By Riddle.

An Act to repeal sections 2.020, 2.110, and 193.225, RSMo, and to enact in lieu thereof three new sections relating to the preservation of records by the secretary of state.

SB 305—By Riddle.

An Act to repeal section 210.192, 210.194, and 210.195, RSMo, and to enact in lieu thereof three new sections relating to child fatality review panels.

CONCURRENT RESOLUTIONS

Senator Sater offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 12

Whereas, on April 19, 1775, the Continental Army engaged in the first battles of the Revolutionary War, known as the Battles of Lexington and Concord. The battles marked the outbreak of open armed conflict between the Kingdom of Great Britain and thirteen of its colonies on the mainland of British America to establish American independence; and

Whereas, the first Militia units, transforming into today's National Guard, were established in the Massachusetts Bay Colonies on December 13, 1636, armed to protect American citizens; and

Whereas, between 1775 and today over 41 million Americans have served in the Armed Forces of the United States, in addition to countless Militiamen between 1636 and 1775; and

Whereas, the United States has suffered casualties of over 1.4 million men and women, including scores of Missouri citizens, who have made the ultimate sacrifice defending democracy and freedom; and

Whereas, the families who have lost immediate relatives in the support of military operations, known as Gold Star Families, are also tragedies of war and armed conflict; and

Whereas, the people of Missouri wish to properly honor our military men and women who gave their lives in the service of our country, and thank their families for their sacrifice and bravery, recognizing that no one has given more for the nation than the families of the fallen; and

Whereas, war memorials perpetuate the appreciation and legacy of our fallen hero warriors and their families present and past and educate communities about the price paid for our way of life; and

Whereas, the purpose of the Gold Star Families Memorial Monument is to honor Gold Star families, relatives, and Gold Star children who have sacrificed and lost loved ones in the service of their country, and who stand as a stark reminder that freedom is not free; and

Whereas, it is appropriate to honor the fallen warriors and their families from the state of Missouri by recognizing the Gold Star Families Memorial Monument, which has been constructed and dedicated on the College of the Ozarks campus, as the official Gold Star Families Memorial Monument of the state of Missouri:

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 recognize the Gold Star Families Memorial Monument, at the College of the Ozarks campus in Point Lookout, Missouri, as the official Gold Star Families Memorial Monument of Missouri; and

Be It Further Resolved that the Missouri Department of Transportation is urged to prepare and establish appropriate highway signage to recognize the location and direction to the Missouri Gold Star Families Memorial Monument and the Missouri Vietnam Veterans Memorial; such highway signage and any additional signs shall be paid for by the College of the Ozarks; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the president of the College of the Ozarks, the Veterans and Military Coalition of the Ozarks in Branson, Missouri, and the Missouri Department of Transportation.

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 13

Whereas, for nearly two thousand years, the Bible has been a cornerstone of Western civilization, its content permeating nearly all aspects of culture, manifesting itself most notably in literature, music, art, drama, public discourse, and philosophy; and

Whereas, wisdom literature from the Bible, which has an emphasis on good character, has been taught for three thousand years but not for the last fifty years by accident; and

Whereas, forty studies have documented a correlation between improved school grades for children and the teaching of the biblical character of love, integrity, compassion, and self-discipline; and

Whereas, biblical references abound in the works of Western literature, including those of William Shakespeare and John Milton, and allusions to biblical themes and characters have been used effectively by writers as diverse as Dante Alighieri and Toni Morrison; and

Whereas, the Bible has been a source for public discourse and policy both past and present, and great leaders, including George Washington, Abraham Lincoln, and Martin Luther King, Jr., inspired entire generations by including biblical references and language in their speeches; and

Whereas, the English language itself is so filled with biblical vocabulary, themes, terms, and allusions that it cannot be fully understood and appreciated by individuals unfamiliar with the Bible, depriving them of much of the richness of the language; and

Whereas, a report on Bible literacy, which included findings from a Gallup Poll survey on American teenagers' knowledge of the Bible, found that American high school students are deficient in their academic knowledge of the Bible and that this deficiency is a limiting factor in their ability to study literature and to understand art, music, history, and culture; and

Whereas, United States Supreme Court Justice Tom Clark, in the 1963 case *Abington v. Schempp*, wrote that "it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization." He further wrote "that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment"; and

Whereas, in a document entitled *The Bible & Public Schools, a First Amendment Guide*, twenty diverse groups, including the National School Boards Association, American Federation of Teachers, National Education Association, Christian groups, Jewish groups, and secular groups, all agreed that the Bible can and should be taught in public schools as long as such teaching is academic and not devotional in nature, demonstrates an awareness of the religious nature of the Bible but does not press students to accept religion, does not engage in the practice of religion, neither encourages or discourages differing religious views, and does not ask students to conform to any religious belief; and

Whereas, George Gallup polling and other research over the years has shown that more than two-thirds of the American public believe the Bible should be taught in public schools as part of the curriculum in literature courses, social studies courses, or both literature and social studies courses; and

Whereas, the general assembly realizes the academic advantage to students of a basic familiarity with the Bible:

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:

(1) Encourage public high schools in Missouri to:

(a) Offer to students in grade nine or above:

a. An elective course on the Hebrew Scriptures (Old Testament) and their influence and an elective course on the New Testament and its influence; or

b. An elective course that combines the courses described above; and

(b) Require that all world literature courses include a three-week session on wisdom literature from the Bible, as has been done for three thousand years;

(2) Declare that the purpose of the courses described above is to teach students the biblical content, characters, and narratives of the Bible that are prerequisites to understanding contemporary society and culture, along with the role the Bible has played in the development of literature, art, music, culture, and public discourse;

(3) Urge the offering of the courses described above only if the courses:

(a) Do not endorse, favor, or promote, or disfavor or discourage, any particular religion or nonreligious faith or religious perspective;

(b) Are taught by state-certified literature or social studies teachers who have been selected without inquiry into their religious beliefs or lack thereof;

© Allow students to choose their preferred translation of the Hebrew Scriptures or the New Testament; and

(d) Award students the same number of course credits that are awarded for other courses of similar duration;

(4) Urge the offering of the courses described above only if school districts make teacher training available to teachers of the courses so that they are made aware of the best practices involved in teaching the Bible in a public school setting; and

(5) Declare that no state entity, school district, or local educational agency should prevent the teaching of courses or classes on the Bible so long as those courses meet guidelines consistent with the First Amendment; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each school district in Missouri.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Carol S. Comer and Larry J. Lehman, as members of the Interstate Mining Compact Commission;

Also,

Carol S. Comer, as a member and Tiffany Drake, as an alternate member of the Midwest Interstate Low-Level Radioactive Waste Compact Commission;

Also,

Stephanie Gooden, Republican, as Commissioner of the Saline County Northern District Commission;

Also,

James Leo Gray, III, as a member of the State Board of Pharmacy;

Also,

Jerrod L. Hogan, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects;

Also,

Randy Huffman, Republican, as Commissioner of the Sullivan County Western District Commission;

Also,

Maynard “Bill” Jones, Democrat and Linda J. Scorse, Republican, as members of the Missouri Veterinary Medical Board;

Also,

Jon M. Kempker, as a member of the Child Abuse and Neglect Review Board;

Also,

Timothy D. Larson, as a member of the Missouri Dental Board;

Also,

Andrew T. Moore, Republican, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Sheila Barrett Ray, Robert P. Walsh and Julie A. Miller, as members of the Missouri State Board of Nursing;

Also,

Phillip L. Slinkard and Robert J. Whelan, as members of the Missouri State Board of Accountancy; and

Leroy C. Tieman, Republican, as a member of the Missouri Western State University Board of Governors.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

SECOND READING OF SENATE BILLS

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

SB 133—Agriculture, Food Production and Outdoor Resources.

SB 134—Commerce, Consumer Protection, Energy and the Environment.

SB 135—Government Reform.

SB 136—Judiciary and Civil and Criminal Jurisprudence.

SB 137—Transportation, Infrastructure and Public Safety.

SB 138—Professional Registration.

SB 139—Health and Pensions.

SB 140—General Laws.

SB 141—Ways and Means.

SB 142—Seniors, Families and Children.

- SB 143**—Local Government and Elections.
- SB 144**—General Laws.
- SB 145**—General Laws.
- SB 146**—General Laws.
- SB 147**—Transportation, Infrastructure and Public Safety.
- SB 148**—Rules, Joint Rules, Resolutions and Ethics.
- SB 149**—Government Reform.
- SB 150**—Government Reform.
- SB 151**—Ways and Means.
- SB 152**—Progress and Development.
- SB 153**—Professional Registration.
- SB 154**—Small Business and Industry.
- SB 155**—Seniors, Families and Children.
- SB 156**—Small Business and Industry.
- SB 157**—Small Business and Industry.
- SB 158**—Transportation, Infrastructure and Public Safety.
- SB 159**—Judiciary and Civil and Criminal Jurisprudence.
- SB 160**—Ways and Means.
- SJR 1**—Local Government and Elections.
- SJR 2**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 3**—Government Reform.
- SJR 4**—Appropriations.
- SJR 5**—Local Government and Elections.
- SJR 6**—Appropriations.
- SJR 7**—Local Government and Elections.
- SJR 8**—Local Government and Elections.
- SJR 9**—Local Government and Elections.
- SJR 10**—Appropriations.
- SJR 11**—Local Government and Elections.
- SJR 12**—Local Government and Elections.

SJR 13—Rules, Joint Rules, Resolutions and Ethics.

SJR 14—Local Government and Elections.

SJR 15—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

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

SECOND READING OF CONCURRENT RESOLUTIONS

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

SCR 11—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, Principal Scott Williams, and 25 high school students from Christian Fellowship School, Columbia.

Senator Brown introduced to the Senate, David Dunn, Springfield.

Senator Holsman introduced to the Senate, Melea Jones, Annaliese Barnes, Auiyon Williams, Naomi Miller and Nia Smith, Blue Ridge Christian School, Grandview.

Senator Riddle introduced to the Senate, the Physician of the Day, Dr. Peggy Barjenbruck, Mexico.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, January 28, 2019.

SENATE CALENDAR

TENTH DAY—MONDAY, JANUARY 28, 2019

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 161-Cunningham

SB 162-Schupp

SB 163-Schupp

SB 164-Schupp

SB 165-Eigel

SB 166-Crawford

SB 167-Crawford

SB 168-Wallingford

SB 169-Wallingford

SB 170-Schupp

SB 171-Schupp

SB 172-Schupp

SB 173-Crawford

SB 174-Crawford

SB 175-Crawford

SB 176-Hough

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 182-Cierpiot, et al	SB 223-Brown
SB 183-Arthur	SB 224-Luetkemeyer
SB 184-Wallingford	SB 225-Curls
SB 185-Wallingford	SB 226-Sater
SB 186-Hegeman	SB 227-Sater
SB 187-Eigel	SB 228-Sater
SB 188-Eigel	SB 229-Crawford
SB 189-Crawford	SB 230-Crawford
SB 190-Onder	SB 231-Hough
SB 191-Schupp	SB 232-Sater
SB 192-Schupp	SB 233-Sater
SB 193-Schupp	SB 234-White
SB 194-Hoskins	SB 235-White
SB 195-Hoskins	SB 236-White
SB 196-Bernskoetter	SB 237-White
SB 197-Onder	SB 238-Emery
SB 198-Onder	SB 239-White
SB 199-Arthur	SB 240-White
SB 200-Hough	SB 241-Rizzo
SB 201-Romine	SB 242-Walsh
SB 202-Romine	SB 243-Walsh
SB 203-Nasheed	SB 244-Walsh
SB 204-Riddle	SB 245-Walsh
SB 205-Arthur	SB 246-Hough
SB 206-Arthur	SB 247-Hough
SB 207-Emery	SB 248-Brown
SB 208-Wallingford	SB 249-Koenig
SB 209-May	SB 250-Koenig
SB 210-May	SB 251-Koenig
SB 211-Wallingford	SB 252-Wieland
SB 212-Sifton	SB 253-Sater
SB 213-Hegeman	SB 254-Bernskoetter
SB 215-Schupp	SB 255-Bernskoetter
SB 216-Schupp	SB 256-Hegeman
SB 217-Schupp	SB 257-Hoskins
SB 218-Hoskins	SB 258-Wallingford

SB 259-Romine	SB 284-Hoskins
SB 260-Onder	SB 285-Hough
SB 261-Nasheed	SB 286-Hough
SB 262-Sater	SB 287-Wieland
SB 263-Schupp	SB 288-Wieland
SB 264-Crawford	SB 289-Wieland
SB 265-Luetkemeyer	SB 290-Brown
SB 266-Wieland	SB 291-Wallingford
SB 267-Wieland	SB 292-Eigel
SB 268-Wieland	SB 293-Hough
SB 269-Eigel	SB 294-Hough
SB 270-White and Crawford	SB 295-Hough
SB 271-Emery	SB 296-Cierpiot
SB 272-Emery	SB 297-White
SB 273-Emery	SB 298-White
SB 274-Sater	SB 299-Rizzo and Holsman
SB 275-Sater	SB 300-Eigel
SB 276-Rowden	SB 301-Eigel
SB 277-Crawford	SB 302-Wallingford
SB 278-Wallingford	SB 303-Riddle
SB 279-Onder and Emery	SB 304-Riddle
SB 280-Sater	SB 305-Riddle
SB 281-Brown	SJR 16-Sifton
SB 282-Brown	SJR 17-Nasheed
SB 283-Hoskins	SJR 18-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HBs 448 & 206

INFORMAL CALENDAR

RESOLUTIONS

SR 20-Holsman

To be Referred

SCR 12-Sater

SCR 13-Emery

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