

Journal of the Senate

FIRST REGULAR SESSION

EIGHTEENTH DAY—THURSDAY, FEBRUARY 11, 2019

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Get wisdom; get insight: do not forget, nor turn away from the words of my mouth.” (Proverbs 4:5)

Almighty God we thank You for the safe travel to this place, as You watched our going out and coming in. You seek ways to teach us that we can improve our lives and actions by learning from Your word and You help us to learn from our experiences, in the ups and downs of life. May we grow in wisdom from such moments and gain insight so we may better serve those who elected us and those with whom we make contact this week. May Your Holy Spirit guide our hearts and minds so what we say and do reflects what we have learned and put into action every day. 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 7, 2019 was read and approved.

Senator Rowden requested unanimous consent of the Senate to allow U.S. Marshal Mark James to enter the Chamber with side arms, which request was granted.

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

Senator Hough offered Senate Resolution No. 231, regarding Wilson Logistics, which was adopted.

Senator Schatz offered Senate Resolution No. 232, regarding John Cantrell Rice, Sullivan, which was adopted.

Senator Sifton offered Senate Resolution No. 233, regarding Carl R. Dickey, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 234, regarding Robert Donald “Bob” Furrer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 235, regarding Robert Joseph “Bob” Hirner, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 236, regarding David James “Dave” Johnston Jr., Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 237, regarding Ronald Phillip Ladd, St. Louis, which was adopted.

On behalf of Senator Nasheed, Senator Walsh offered Senate Resolution No. 238, regarding the death of Samuel Lee Taylor III, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 239, regarding the Fiftieth Wedding Anniversary of Michael and Mary Jane Forck, Jefferson City, which was adopted.

Senator Curls offered Senate Resolution No. 240, regarding the death of Dr. James Frank, which was adopted.

Senator Schatz offered Senate Resolution No. 241, regarding Robert Dean “Bob” Elsea, Chesterfield, which was adopted.

Senator Williams offered Senate Resolution No. 242, regarding Donald Jehu Lewis Sr., Vinita Park, which was adopted.

Senator Sifton offered Senate Resolution No. 243, regarding St. Louis County Police Department Officer Mark Meyers, which was adopted.

Senator Sifton offered Senate Resolution No. 244, regarding St. Louis County Police Department Officer Jon Brannan, which was adopted.

Senator Williams offered Senate Resolution No. 245, regarding Dr. Anissa Harris, which was adopted.

Senator Williams offered Senate Resolution No. 246, regarding First Missionary Baptist Church of Robertson, which was adopted.

Senator Williams offered Senate Resolution No. 247, regarding William “Bill” Miller, which was adopted.

Senator Williams offered Senate Resolution No. 248, regarding Kinloch Fire Protection District, which was adopted.

Senator Williams offered Senate Resolution No. 249, regarding City of Kinloch, which was adopted.

Senator Rowden offered Senate Resolution No. 250, regarding Police Chief Lyn Woolford, Ashland,

which was adopted.

Senator Rowden offered Senate Resolution No. 251, regarding Columbia Audubon Society, which was adopted.

Senator Crawford offered Senate Resolution No. 252, regarding Donna J. Hart, Osceola, which was adopted.

Senator Riddle offered Senate Resolution No. 253, regarding Monroe City Police Sergeant and volunteer firefighter Zach James, which was adopted.

Senator Cunningham offered the following resolution:

SENATE RESOLUTION NO. 254

Whereas, the city of West Plains, Missouri seeks to host the National Junior College Athletic Association (NJCAA) Division 1 National Volleyball Tournament for the years 2020, 2021, and 2022; and

Whereas, West Plains was host to nine successful NJCAA Division 1 National Volleyball Tournaments from 2001 to 2012; and

Whereas, the city of West Plains has a proven track record of successfully hosting this tournament in the past and, since last hosting the tournament, has seen additional hotel space added in the city and an increased and unprecedented level of community support for hosting the tournament; and

Whereas, the central location of West Plains near a number of major airports makes travel to the area very convenient for tournament participants; and

Whereas, West Plains hosts a number of restaurant and shopping options, but is also only two hours from the entertainment hub of Branson; and

Whereas, the level of community commitment and support for this tournament makes West Plains the ideal location to host the tournament in the coming years; and

Now Therefore Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, First Regular Session, offer their support to the bid of the city of West Plains to host the NJCAA Division 1 National Volleyball Tournaments for the years 2020, 2021, and 2022; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copy of this resolution to the executive director of National Junior College Athletic Association.

CONCURRENT RESOLUTIONS

Senator Wieland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 16

Whereas, in January 1973, the Supreme Court of the United States ruled in *Roe v. Wade* that abortion is protected by the Constitution of the United States, and in doing so effectively removed legal protection from human beings prior to birth; and

Whereas, the ramifications of the court's decision created a moral morass and was a step in the wrong direction for our nation; and

Whereas, each and every innocent human life is unique and precious and that human life begins at the moment of conception and continues, uninterrupted, until the moment of natural death; and

Whereas, each innocent human life must always be protected and preserved, and in all possible ways our country should promote a culture of life; and

Whereas, each state should enact laws that protect unborn human life; and

Whereas, the Missouri General Assembly on behalf of Missourians has spoken out in defense of the sanctity of life, and has done so in connection with contemporary threats to the life of the unborn; and

Whereas, other states in the union have not shared this mission to preserve life and have demonstrated contempt towards the most vulnerable in our society; and

Whereas, New York Governor Andrew Cuomo signed legislation permitting abortion on demand; and

Whereas, the State of New York removed abortion from their criminal code; and

Whereas, the State of New York put women's health at risk by allowing non-physicians to perform or induce abortions; and

Whereas, the State of New York has failed to live up to ethical standards that Missourians demand of us and the State of New York, by their actions, have added to the moral chaos that is plaguing this country:

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, declare that Missouri tax dollars should not be spent in any state, like New York, that demonstrates such disregard and contempt for the unborn; and

Be It Further Resolved that the members of the Missouri General Assembly ask the Governor to order all departments to cease from taking part in any non-emergency activity or event in the State of New York; and

Be It Further Resolved that the Missouri General Assembly demands higher moral standards of its fellow states and will continue to boycott events hosted by these states until they repeal legislation that fails to preserve and protect the life of the unborn; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and the State Treasurer.

INTRODUCTION OF BILLS

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

SB 369—By Brown.

An Act to repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to salvage vehicles.

SB 370—By Brown.

An Act to amend chapter 208, RSMo, by adding thereto three new sections relating to MO HealthNet managed care.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

February 11, 2019

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Larry W. Borts, 305 North Mill Street, Jamestown, Moniteau County, Missouri 65046, as a member of the Missouri Propane Safety Commission, for a term ending June 30, 2021, and until his successor is duly appointed and qualified; vice, Arthur R. Higgins, resigned.

Respectfully submitted,

/s/ Michael L. Parson

Governor

Also,

February 11, 2019

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Derek Poe, 5019 North Farm Road 249, Strafford, Greene County, Missouri 65757, as a member of the Missouri Propane Safety Commission, for a term ending June 30, 2022, and until his successor is duly appointed and qualified; vice, Michael T. Jinks, term expired.

Respectfully submitted,

/s/ Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

At the request of Senator Rowden, **SB 49**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **SB 7** was placed on the Informal Calendar.

Senator Libla moved that **SB 89**, with **SCS**, be taken up for perfection, 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.

Senator Libla moved that **SCS for SB 89** be adopted.

Senator Hough offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 89, Page 10, Section 302.720, Line 141, by inserting after all of said line the following:

“6. Notwithstanding the provisions of this section or any other law to the contrary, beginning December 1, 2019, the director of the department of revenue shall certify as a third-party tester any private education institution or other private entity.”.

Senator Hough moved that the above amendment be adopted.

Senator Hough offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 89, Line 7, by inserting after the word **“entity”** the following:

“, provided the institution or entity meets the necessary qualifications required by the state”.

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

Senator Hough moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Libla moved that **SCS for SB 89**, as amended, be adopted, which motion prevailed.

On motion of Senator Libla, **SCS for SB 89**, as amended, was declared perfected and order printed.

At the request of Senator Onder, **SB 39** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 4** was placed on the Informal Calendar.

Senator Sater moved that **SB 6**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 6

An Act to repeal sections 195.015, 195.017, 565.021, 579.015, 579.065, and 579.068, RSMo, and to

enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

Was taken up.

Senator Sater moved that **SCS** for **SB 6** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 6, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“195.010. The following words and phrases as used in this chapter and chapter 579, unless the context otherwise requires, mean:

(1) “Acute pain”, pain, whether resulting from disease, accidental or intentional trauma, or other causes, that the practitioner reasonably expects to last only a short period of time. Acute pain shall not include chronic pain, pain being treated as part of cancer care, hospice or other end-of-life care, or medication-assisted treatment for substance use disorders;

(2) “Addict”, a person who habitually uses one or more controlled substances to such an extent as to create a tolerance for such drugs, and who does not have a medical need for such drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control with reference to his or her addiction;

(3) “Administer”, to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(a) A practitioner (or, in his or her presence, by his or her authorized agent); or

(b) The patient or research subject at the direction and in the presence of the practitioner;

(4) “Agent”, an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. The term does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman while acting in the usual and lawful course of the carrier’s or warehouseman’s business;

(5) “Attorney for the state”, any prosecuting attorney, circuit attorney, or attorney general authorized to investigate, commence and prosecute an action under this chapter;

(6) “Controlled substance”, a drug, substance, or immediate precursor in Schedules I through V listed in this chapter **and not including medical marijuana pursuant to article XIV of the Missouri Constitution**;

(7) “Controlled substance analogue”, a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(b) With respect to a particular individual, which that individual represents or intends to have a

stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II. The term does not include a controlled substance; any substance for which there is an approved new drug application; any substance for which an exemption is in effect for investigational use, for a particular person, under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. Section 355) to the extent conduct with respect to the substance is pursuant to the exemption; or any substance to the extent not intended for human consumption before such an exemption takes effect with respect to the substance;

(8) “Counterfeit substance”, a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance;

(9) “Deliver” or “delivery”, the actual, constructive, or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale;

(10) “Dentist”, a person authorized by law to practice dentistry in this state;

(11) “Depressant or stimulant substance”:

(a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid or any derivative of barbituric acid which has been designated by the United States Secretary of Health and Human Services as habit forming under 21 U.S.C. Section 352(d);

(b) A drug containing any quantity of:

a. Amphetamine or any of its isomers;

b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

c. Any substance the United States Attorney General, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system;

(c) Lysergic acid diethylamide; or

(d) Any drug containing any quantity of a substance that the United States Attorney General, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect;

(12) “Dispense”, to deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. “Dispenser” means a practitioner who dispenses;

(13) “Distribute”, to deliver other than by administering or dispensing a controlled substance;

(14) “Distributor”, a person who distributes;

(15) “Drug”:

(a) Substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic

Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(c) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(d) Substances intended for use as a component of any article specified in this subdivision. It does not include devices or their components, parts or accessories;

(16) “Drug-dependent person”, a person who is using a controlled substance and who is in a state of psychic or physical dependence, or both, arising from the use of such substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence;

(17) “Drug enforcement agency”, the Drug Enforcement Administration in the United States Department of Justice, or its successor agency;

(18) “Drug paraphernalia”, all equipment, products, substances and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of this chapter or chapter 579. It includes, but is not limited to:

(a) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(b) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;

(c) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;

(d) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;

(e) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;

(f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;

(g) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

(h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances or imitation controlled substances;

(i) Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;

(j) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;

(k) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;

(l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs;

m. Ice pipes or chillers;

(m) Substances used, intended for use, or designed for use in the manufacture of a controlled substance.

In determining whether an object, product, substance or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

a. Statements by an owner or by anyone in control of the object concerning its use;

b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;

c. The proximity of the object, in time and space, to a direct violation of this chapter or chapter 579;

d. The proximity of the object to controlled substances or imitation controlled substances;

e. The existence of any residue of controlled substances or imitation controlled substances on the object;

f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to

deliver it to persons who he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter or chapter 579; the innocence of an owner, or of anyone in control of the object, as to direct violation of this chapter or chapter 579 shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;

g. Instructions, oral or written, provided with the object concerning its use;

h. Descriptive materials accompanying the object which explain or depict its use;

i. National or local advertising concerning its use;

j. The manner in which the object is displayed for sale;

k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;

m. The existence and scope of legitimate uses for the object in the community;

n. Expert testimony concerning its use;

o. The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;

(19) "Federal narcotic laws", the laws of the United States relating to controlled substances;

(20) "Hospital", a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions; or a place devoted primarily to provide, for not less than twenty-four consecutive hours in any week, medical or nursing care for three or more nonrelated individuals. The term hospital does not include convalescent, nursing, shelter or boarding homes as defined in chapter 198;

(21) "Illegal industrial hemp":

(a) All nonseed parts and varieties of the *Cannabis sativa* L. plant, growing or not, that contain an average delta-9 tetrahydrocannabinol (THC) concentration exceeding three-tenths of one percent on a dry weight basis;

(b) Illegal industrial hemp shall be destroyed in the most effective manner possible, and such destruction shall be verified by the Missouri state highway patrol;

(22) "Immediate precursor", a substance which:

(a) The state department of health and senior services has found to be and by rule designates as being the principal compound commonly used or produced primarily for use in the manufacture of a controlled substance;

(b) Is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(c) The control of which is necessary to prevent, curtail or limit the manufacture of the controlled

substance;

(23) “Imitation controlled substance”, a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an imitation controlled substance the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

(a) Whether the substance was approved by the federal Food and Drug Administration for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and Drug Administration-approved package, with the federal Food and Drug Administration-approved labeling information;

(b) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;

(c) Whether the substance is packaged in a manner normally used for illicit controlled substances;

(d) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;

(e) The proximity of the substances to controlled substances;

(f) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research;

(24) “Industrial hemp”:

(a) All nonseed parts and varieties of the *Cannabis sativa* L. plant, growing or not, that contain an average delta-9 tetrahydrocannabinol (THC) concentration that does not exceed three-tenths of one percent on a dry weight basis or the maximum concentration allowed under federal law, whichever is greater;

(b) Any *Cannabis sativa* L. seed that is part of a growing crop, retained by a grower for future planting, or used for processing into or use as agricultural hemp seed;

(c) Industrial hemp includes industrial hemp commodities and products and topical or ingestible animal and consumer products derived from industrial hemp with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis;

(25) “Initial prescription”, a prescription issued to a patient who has never previously been issued a prescription for the drug or its pharmaceutical equivalent or who was previously issued a prescription for the drug or its pharmaceutical equivalent, but the date on which the current prescription is being issued is more than five months after the date the patient last used or was administered the drug or its equivalent;

(26) “Laboratory”, a laboratory approved by the department of health and senior services as proper to be entrusted with the custody of controlled substances but does not include a pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

(27) “Manufacture”, the production, preparation, propagation, compounding or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug:

(a) By a practitioner as an incident to his or her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his or her professional practice; or

(b) By a practitioner or his or her authorized agent under his or her supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale;

(28) “Marijuana”, all parts of the plant genus *Cannabis* in any species or form thereof, including, but not limited to *Cannabis Sativa* L., except industrial hemp, *Cannabis Indica*, *Cannabis Americana*, *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination;

(29) “Methamphetamine precursor drug”, any drug containing ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers;

(30) “Narcotic drug”, any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical analysis:

(a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium;

(b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

(c) Cocaine or any salt, isomer, or salt of isomer thereof;

(d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

(e) Any compound, mixture, or preparation containing any quantity of any substance referred to in paragraphs (a) to (d) of this subdivision;

(31) “Official written order”, an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided, then on an official form provided for that purpose by the department of health and senior services;

(32) “Opiate” or “opioid”, any substance having an addiction-forming or addiction-sustaining liability

similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

(33) “Opium poppy”, the plant of the species *Papaver somniferum* L., except its seeds;

(34) “Over-the-counter sale”, a retail sale licensed pursuant to chapter 144 of a drug other than a controlled substance;

(35) “Person”, an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity;

(36) “Pharmacist”, a licensed pharmacist as defined by the laws of this state, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this chapter shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

(37) “Poppy straw”, all parts, except the seeds, of the opium poppy, after mowing;

(38) “Possessed” or “possessing a controlled substance”, a person, with the knowledge of the presence and nature of a substance, has actual or constructive possession of the substance. A person has actual possession if he has the substance on his or her person or within easy reach and convenient control. A person who, although not in actual possession, has the power and the intention at a given time to exercise dominion or control over the substance either directly or through another person or persons is in constructive possession of it. Possession may also be sole or joint. If one person alone has possession of a substance possession is sole. If two or more persons share possession of a substance, possession is joint;

(39) “Practitioner”, a physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this state to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this state, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research;

(40) “Production”, includes the manufacture, planting, cultivation, growing, or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance;

(41) “Registry number”, the number assigned to each person registered under the federal controlled substances laws;

(42) “Sale”, includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee;

(43) “State” when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America;

(44) “Synthetic cannabinoid”, includes unless specifically excepted or unless listed in another schedule, any natural or synthetic material, compound, mixture, or preparation that contains any quantity of a

substance that is a cannabinoid receptor agonist, including but not limited to any substance listed in paragraph (ll) of subdivision (4) of subsection 2 of section 195.017 and any analogues; homologues; isomers, whether optical, positional, or geometric; esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it shall not include any approved pharmaceutical authorized by the United States Food and Drug Administration;

(45) “Ultimate user”, a person who lawfully possesses a controlled substance or an imitation controlled substance for his or her own use or for the use of a member of his or her household or immediate family, regardless of whether they live in the same household, or for administering to an animal owned by him or by a member of his or her household. For purposes of this section, the phrase “immediate family” means a husband, wife, parent, child, sibling, stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

(46) “Wholesaler”, a person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he himself has not produced or prepared, on official written orders, but not on prescriptions.”; and

Further amend said bill, page 7, section 195.017, line 158, by inserting immediately after the word “except” the following: “**medical marijuana pursuant to article XIV of the Missouri Constitution and**”; and further amend line 171, by inserting immediately after the word “except” the following: “**medical marijuana pursuant to article XIV of the Missouri Constitution and**”; and

Further amend said bill, page 31, section 195.805, line 15, by inserting immediately after said line the following:

“263.250. 1. The plant “marijuana”, botanically known as *cannabis sativa*, is hereby declared to be a noxious weed and all owners and occupiers of land shall destroy all such plants growing upon their land. Any person who knowingly allows such plants to grow on his land or refuses to destroy such plants after being notified to do so shall allow any sheriff or such other persons as designated by the county commission to enter upon any land in this state and destroy such plants.

2. Entry to such lands shall not be made, by any sheriff or other designated person to destroy such plants, until fifteen days’ notice by certified mail shall be given the owner or occupant to destroy such plants or a search warrant shall be issued on probable cause shown. In all such instances, the county commission shall bear the cost of destruction and notification.

3. The provisions of this section shall not apply to marijuana plants grown lawfully pursuant to article XIV of the Missouri Constitution.”; and

Further amend said bill, page 33, section 579.065, line 24, by inserting immediately after “marijuana” the following: “, **excluding medical marijuana pursuant to article XIV of the Missouri Constitution**”; and

Further amend said bill and section, page 34, line 58, by inserting immediately after “marijuana” the following: “, **excluding medical marijuana pursuant to article XIV of the Missouri Constitution**”; and

Further amend said bill, page 35, section 579.068, line 24, by inserting immediately after “marijuana” the following: “, **excluding medical marijuana pursuant to article XIV of the Missouri Constitution**”; and

Further amend said bill and section, page 36, line 58, by inserting immediately after “marijuana” the following: “, **excluding medical marijuana pursuant to article XIV of the Missouri Constitution**”; and further amend line 59, by inserting immediately after “plants” the following: “, **excluding medical marijuana pursuant to article XIV of the Missouri Constitution**”; and

Further amend the title and enacting clause accordingly.

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

Senator Onder offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 6, Page 30, Section 195.805, Line 6, by striking the word “gummies,”; and further amend line 9, by inserting after all of said line the following:

“2. Each increment of products containing equal to or greater than ten milligrams of tetrahydrocannabinols shall be stamped with a diamond containing the phrase “THC 10”.”; and further renumber the remaining subsection accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Onder offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 6, Page 30, Section 195.805, Line 1, by striking the words “marijuana for medical use” and inserting in lieu thereof the following: “**edible marijuana-infused product**”; and further amend line 6 by striking the word “gummies,”; and further amend line 9, by inserting after all of said line the following:

“2. Each increment of an edible marijuana-infused product containing ten or more milligrams of tetrahydrocannabinols (THC) shall be stamped with a diamond containing the letters “THC” and the number of milligrams of THC in that increment.”; and further renumber the remaining subsection accordingly.

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

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 6, Page 31, Section 195.805, Line 15, by inserting immediately after said line the following:

“556.061. In this code, unless the context requires a different definition, the following terms shall mean:

(1) “Access”, to instruct, communicate with, store data in, retrieve or extract data from, or otherwise make any use of any resources of, a computer, computer system, or computer network;

(2) “Affirmative defense”:

(a) The defense referred to is not submitted to the trier of fact unless supported by evidence; and

(b) If the defense is submitted to the trier of fact the defendant has the burden of persuasion that the defense is more probably true than not;

(3) “Burden of injecting the issue”:

(a) The issue referred to is not submitted to the trier of fact unless supported by evidence; and

(b) If the issue is submitted to the trier of fact any reasonable doubt on the issue requires a finding for the defendant on that issue;

(4) “Commercial film and photographic print processor”, any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(5) “Computer”, the box that houses the central processing unit (CPU), along with any internal storage devices, such as internal hard drives, and internal communication devices, such as internal modems capable of sending or receiving electronic mail or fax cards, along with any other hardware stored or housed internally. Thus, computer refers to hardware, software and data contained in the main unit. Printers, external modems attached by cable to the main unit, monitors, and other external attachments will be referred to collectively as peripherals and discussed individually when appropriate. When the computer and all peripherals are referred to as a package, the term “computer system” is used. Information refers to all the information on a computer system including both software applications and data;

(6) “Computer equipment”, computers, terminals, data storage devices, and all other computer hardware associated with a computer system or network;

(7) “Computer hardware”, all equipment which can collect, analyze, create, display, convert, store, conceal or transmit electronic, magnetic, optical or similar computer impulses or data. Hardware includes, but is not limited to, any data processing devices, such as central processing units, memory typewriters and self-contained laptop or notebook computers; internal and peripheral storage devices, transistor-like binary devices and other memory storage devices, such as floppy disks, removable disks, compact disks, digital video disks, magnetic tape, hard drive, optical disks and digital memory; local area networks, such as two or more computers connected together to a central computer server via cable or modem; peripheral input or output devices, such as keyboards, printers, scanners, plotters, video display monitors and optical readers; and related communication devices, such as modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices and electronic tone-generating devices; as well as any devices, mechanisms or parts that can be used to restrict access to computer hardware, such as physical keys and locks;

(8) “Computer network”, two or more interconnected computers or computer systems;

(9) “Computer program”, a set of instructions, statements, or related data that directs or is intended to direct a computer to perform certain functions;

(10) “Computer software”, digital information which can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. The term commonly includes programs to run operating systems and applications, such as word processing, graphic, or spreadsheet programs, utilities, compilers, interpreters and communications programs;

(11) “Computer-related documentation”, written, recorded, printed or electronically stored material which explains or illustrates how to configure or use computer hardware, software or other related items;

(12) “Computer system”, a set of related, connected or unconnected, computer equipment, data, or software;

(13) “Confinement”:

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

a. A court orders the person’s release; or

b. The person is released on bail, bond, or recognizance, personal or otherwise; or

c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;

(b) A person is not in confinement if:

a. The person is on probation or parole, temporary or otherwise; or

b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;

(14) “Consent”: consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

(a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

(b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(c) It is induced by force, duress or deception;

(15) “Controlled substance”, a drug, substance, or immediate precursor in schedules I through V as defined in chapter 195;

(16) “Criminal negligence”, failure to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, and such failure constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation;

(17) “Custody”, a person is in custody when he or she has been arrested but has not been delivered to a place of confinement;

(18) “Damage”, when used in relation to a computer system or network, means any alteration, deletion, or destruction of any part of the computer system or network;

(19) “Dangerous felony”, the felonies of arson in the first degree, assault in the first degree, attempted rape in the first degree if physical injury results, attempted forcible rape if physical injury results, attempted

sodomy in the first degree if physical injury results, attempted forcible sodomy if physical injury results, rape in the first degree, forcible rape, sodomy in the first degree, forcible sodomy, assault in the second degree if the victim of such assault is a special victim as defined in subdivision (14) of section 565.002, kidnapping in the first degree, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, child molestation in the first or second degree, abuse of a child if the child dies as a result of injuries sustained from conduct chargeable under section 568.060, child kidnapping, parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153, and an “intoxication-related traffic offense” or “intoxication-related boating offense” if the person is found to be a “habitual offender” or “habitual boating offender” as such terms are defined in section 577.001, **and delivery of a controlled substance when the substance is a mixture or substance containing a detectable amount of heroin;**

(20) “Dangerous instrument”, any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;

(21) “Data”, a representation of information, facts, knowledge, concepts, or instructions prepared in a formalized or other manner and intended for use in a computer or computer network. Data may be in any form including, but not limited to, printouts, microfiche, magnetic storage media, punched cards and as may be stored in the memory of a computer;

(22) “Deadly weapon”, any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy club, blackjack or metal knuckles;

(23) “Digital camera”, a camera that records images in a format which enables the images to be downloaded into a computer;

(24) “Disability”, a mental, physical, or developmental impairment that substantially limits one or more major life activities or the ability to provide adequately for one’s care or protection, whether the impairment is congenital or acquired by accident, injury or disease, where such impairment is verified by medical findings;

(25) “Elderly person”, a person sixty years of age or older;

(26) “Felony”, an offense so designated or an offense for which persons found guilty thereof may be sentenced to death or imprisonment for a term of more than one year;

(27) “Forcible compulsion” either:

(a) Physical force that overcomes reasonable resistance; or

(b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;

(28) “Incapacitated”, a temporary or permanent physical or mental condition in which a person is unconscious, unable to appraise the nature of his or her conduct, or unable to communicate unwillingness to an act;

(29) “Infraction”, a violation defined by this code or by any other statute of this state if it is so designated or if no sentence other than a fine, or fine and forfeiture or other civil penalty, is authorized upon conviction;

(30) “Inhabitable structure”, a vehicle, vessel or structure:

(a) Where any person lives or carries on business or other calling; or

(b) Where people assemble for purposes of business, government, education, religion, entertainment, or public transportation; or

(c) Which is used for overnight accommodation of persons.

Any such vehicle, vessel, or structure is inhabitable regardless of whether a person is actually present. If a building or structure is divided into separately occupied units, any unit not occupied by the actor is an inhabitable structure of another;

(31) “Knowingly”, when used with respect to:

(a) Conduct or attendant circumstances, means a person is aware of the nature of his or her conduct or that those circumstances exist; or

(b) A result of conduct, means a person is aware that his or her conduct is practically certain to cause that result;

(32) “Law enforcement officer”, any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;

(33) “Misdemeanor”, an offense so designated or an offense for which persons found guilty thereof may be sentenced to imprisonment for a term of which the maximum is one year or less;

(34) “Of another”, property that any entity, including but not limited to any natural person, corporation, limited liability company, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest therein, except that property shall not be deemed property of another who has only a security interest therein, even if legal title is in the creditor pursuant to a conditional sales contract or other security arrangement;

(35) “Offense”, any felony or misdemeanor;

(36) “Physical injury”, slight impairment of any function of the body or temporary loss of use of any part of the body;

(37) “Place of confinement”, any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;

(38) “Possess” or “possessed”, having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(39) “Property”, anything of value, whether real or personal, tangible or intangible, in possession or in action;

(40) “Public servant”, any person employed in any way by a government of this state who is compensated by the government by reason of such person’s employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(41) “Purposely”, when used with respect to a person’s conduct or to a result thereof, means when it is his or her conscious object to engage in that conduct or to cause that result;

(42) “Recklessly”, consciously disregarding a substantial and unjustifiable risk that circumstances exist or that a result will follow, and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation;

(43) “Serious emotional injury”, an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(44) “Serious physical injury”, physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(45) “Services”, when used in relation to a computer system or network, means use of a computer, computer system, or computer network and includes, but is not limited to, computer time, data processing, and storage or retrieval functions;

(46) “Sexual orientation”, male or female heterosexuality, homosexuality or bisexuality by inclination, practice, identity or expression, or having a self-image or identity not traditionally associated with one’s gender;

(47) “Vehicle”, a self-propelled mechanical device designed to carry a person or persons, excluding vessels or aircraft;

(48) “Vessel”, any boat or craft propelled by a motor or by machinery, whether or not such motor or machinery is a principal source of propulsion used or capable of being used as a means of transportation on water, or any boat or craft more than twelve feet in length which is powered by sail alone or by a combination of sail and machinery, and used or capable of being used as a means of transportation on water, but not any boat or craft having, as the only means of propulsion, a paddle or oars;

(49) “Voluntary act”:

(a) A bodily movement performed while conscious as a result of effort or determination. Possession is a voluntary act if the possessor knowingly procures or receives the thing possessed, or having acquired control of it was aware of his or her control for a sufficient time to have enabled him or her to dispose of it or terminate his or her control; or

(b) An omission to perform an act of which the actor is physically capable. A person is not guilty of an offense based solely upon an omission to perform an act unless the law defining the offense expressly so provides, or a duty to perform the omitted act is otherwise imposed by law;

(50) “Vulnerable person”, any person in the custody, care, or control of the department of mental health who is receiving services from an operated, funded, licensed, or certified program.”; and

Further amend said bill, page 32, section 579.015, line 26, by inserting immediately after said line the following:

“579.020. 1. A person commits the offense of delivery of a controlled substance if, except as authorized in this chapter or chapter 195, he or she:

(1) Knowingly distributes or delivers a controlled substance;

(2) Attempts to distribute or deliver a controlled substance;

(3) Knowingly possesses a controlled substance with the intent to distribute or deliver any amount of a controlled substance; or

(4) Knowingly permits a minor to purchase or transport illegally obtained controlled substances.

2. Except when the controlled substance is thirty-five grams or less of marijuana or synthetic cannabinoid or as otherwise provided under subsection 5 of this section, the offense of delivery of a controlled substance is a class C felony.

3. Except as otherwise provided under subsection 4 of this section, the offense of delivery of thirty-five grams or less of marijuana or synthetic cannabinoid is a class E felony.

4. The offense of delivery of thirty-five grams or less of marijuana or synthetic cannabinoid to a person less than seventeen years of age who is at least two years younger than the defendant is a class C felony.

5. The offense of delivery of a controlled substance is a class B felony if:

(1) The delivery or distribution is any amount of a controlled substance except thirty-five grams or less of marijuana or synthetic cannabinoid, to a person less than seventeen years of age who is at least two years younger than the defendant; [or]

(2) The person knowingly permits a minor to purchase or transport illegally obtained controlled substances; **or**

(3) The person knowingly distributes or delivers a mixture or substance containing a detectable amount of heroin.”; and

Further amend the title and enacting clause accordingly.

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

Senator Sater moved that **SCS for SB 6**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SCS for SB 6**, as amended, was declared perfected and order printed.

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 **HB 445**, entitled:

An Act to repeal sections 105.455, 105.458, 105.470, 105.473, 610.010, 610.021, and 610.025, RSMo,

and to enact in lieu thereof eight new sections relating to ethics, 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 188**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to the narcotics control act, with penalty provisions.

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 report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 89**, 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.

RESOLUTIONS

Senator White offered Senate Resolution No. 255, regarding the Seventieth Wedding Anniversary of Reverend J.C. "Buddy" and Nelma Noreen Walker, Carl Junction, which was adopted.

Senator Riddle offered Senate Resolution No. 256, regarding Warren Bloomer, Holts Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 257, regarding Sharon Sundermeyer, Fulton, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Williams introduced to the Senate, Mayor John Gwaltney, Rhoda Gwaltney, Adele Crown and Roy Rice, Edmundson.

On behalf of Senator Brown and himself, Senator Holsman introduced to the Senate, Mark James, Kansas City.

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

SENATE CALENDAR

NINETEENTH DAY—TUESDAY, FEBRUARY 12, 2019

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 295-Hough	SB 331-Brown
SB 296-Cierpiot	SB 332-Brown
SB 297-White	SB 333-Rizzo
SB 298-White	SB 334-Onder
SB 299-Rizzo, et al	SB 335-Onder
SB 300-Eigel	SB 336-Schupp
SB 301-Eigel	SB 337-Wieland
SB 302-Wallingford	SB 338-Wieland
SB 303-Riddle	SB 339-Wieland
SB 304-Riddle	SB 340-Wieland
SB 305-Riddle	SB 341-Wieland
SB 306-White	SB 342-Curls
SB 307-Cierpiot	SB 343-Eigel
SB 308-Onder	SB 344-Eigel
SB 309-Sater	SB 345-Koenig, et al
SB 310-Arthur	SB 346-Schupp
SB 311-Nasheed	SB 347-Burlison
SB 312-Eigel	SB 348-O'Laughlin
SB 313-Onder	SB 349-O'Laughlin
SB 314-Burlison	SB 350-O'Laughlin
SB 315-Burlison	SB 351-Williams
SB 316-Burlison	SB 352-Williams
SB 317-Burlison	SB 353-Emery
SB 318-Burlison	SB 354-Cierpiot
SB 319-Wieland	SB 355-Cierpiot
SB 320-Hough	SB 356-Bernskoetter
SB 321-Hegeman	SB 357-Sater
SB 322-Bernskoetter	SB 358-Sater
SB 323-Hough	SB 359-Eigel
SB 324-Arthur	SB 360-Crawford
SB 325-Crawford	SB 361-Riddle
SB 326-Sater	SB 362-Riddle
SB 327-Luetkemeyer	SB 363-Riddle
SB 328-Burlison	SB 364-Williams
SB 329-Burlison	SB 365-Hoskins
SB 330-Brown	SB 366-Hoskins

SB 367-Burlison
SB 368-Hough
SB 369-Brown
SB 370-Brown
SJR 16-Sifton

SJR 17-Nasheed
SJR 18-Cunningham
SJR 19-Nasheed
SJR 20-Koenig

HOUSE BILLS ON SECOND READING

HCS for HB 397
HCS for HB 67

HB 445-Dogan
HB 188-Rehder

THIRD READING OF SENATE BILLS

SB 20-Libla (In Fiscal Oversight)

SCS for SB 89-Libla and Brown

SENATE BILLS FOR PERFECTION

SB 160-Koenig, with SCS
SB 44-Hoskins, with SCS
SB 38-Onder

SB 28-Hegeman, with SCS
SB 56-Cierpiot, with SCS
SB 21-Libla

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 4-Sater
SB 7-Emery

SB 39-Onder
SB 49-Rowden, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/7

SB 131-Emery, with SCS

SB 103-Schupp

SB 54-Crawford

RESOLUTIONS

SR 20-Holsman

Reported from Committee

SCR 4-Curls, et al
SCR 5-Wallingford

SCR 6-Schupp
SCR 10-Rowden

To be Referred

SCR 16-Wieland

SR 254-Cunningham

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