

# Journal of the Senate

FIRST REGULAR SESSION

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**FORTY-THIRD DAY—MONDAY, APRIL 1, 2019**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“But be glad and rejoice forever in what I am creating;..” (Isaiah 65:18a)

Heavenly Father, We are glad in what we saw as we drove in this morning, trees budding, grass greening and the joy of Spring in the air. We are grateful for another week to serve You here as we are energized to do all that we can this new week. Be with us and let Your spirit guide our thoughts and actions that we might please You and give You glory. 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, March 28, 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	Nasheed	O’Laughlin	Onder	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator White offered Senate Resolution No. 523, regarding Chandler Brown and Lanie Brown, Webb

City, which was adopted.

Senator Riddle offered Senate Resolution No. 524, regarding the Fifty-fifth Wedding Anniversary of Kenneth Eugene and Floyce Jean Wharton, Palmyra, which was adopted.

Senator Riddle offered Senate Resolution No. 525, regarding Eagle Scout Glenn Jatho, which was adopted.

Senator Onder offered Senate Resolution No. 526, regarding Earl Robert “Bob” Dick, Wentzville, which was adopted.

Senator Holsman offered Senate Resolution No. 527, regarding Michael C. Kathrens, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 528, regarding the One Hundred Twenty-fifth Anniversary of Goodwill of Western Missouri and Eastern Kansas, which was adopted.

Senator Brown offered Senate Resolution No. 529, regarding Child Advocacy Day, which was adopted.

Senator Schatz offered Senate Resolution No. 530, regarding Bill John Miller, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 531, regarding Larry D. Davison, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 532, regarding Jerry Lee Gaddy, Wildwood, which was adopted.

### 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 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri,

and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 5**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 6**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2019, and ending June 30, 2020.

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 7**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 8**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 9**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2019, and ending June 30, 2020.

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 10**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 11**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

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 12**, entitled:

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2019, and ending June 30, 2020.

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 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2019, and ending June 30, 2020.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### SENATE BILLS FOR PERFECTION

Senator Sater moved that **SJR 1** be taken up for perfection, which motion prevailed.

Senator Sater offered **SS** for **SJR 1**, entitled:

#### SENATE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 1

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 50 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the initiative petition process.

Senator Sater moved that **SS** for **SJR 1** be adopted.

Senator Nasheed offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 1, Page 3, Section 51, Line 2, by inserting after all of said line the following:

**“Section 54. Any amendment to the constitution proposed by the general assembly or by the initiative and any initiative petition proposing laws shall appear first on the ballot prior to any candidates for public office.”; and**

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Sater, **SS** for **SJR 1** was withdrawn, rendering **SA 1** moot.

At the request of Senator Sater, **SJR1** 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 456**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to a high school

diploma endorsement in STEM.

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 278**, entitled:

An Act to repeal sections 288.100 and 288.160, RSMo, and to enact in lieu thereof two new sections relating to employment security.

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 604**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto eleven new sections relating to elementary and secondary education.

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 703**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax refund donation.

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 124**, entitled:

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to the law library surcharge.

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 No. 2** for **HB 462**, entitled:

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to certified teacher externships.

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 973**, entitled:

An Act to amend chapter 127, RSMo, by adding thereto two new sections relating to the nonpartisan state demographer.

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 959**, entitled:

An Act to repeal section 407.825, RSMo, and to enact in lieu thereof two new sections relating to the motor vehicle franchise practices act.

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 355**, entitled:

An Act to repeal sections 386.510 and 386.515, RSMo, and to enact in lieu thereof two new sections relating to the public service commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## **RESOLUTIONS**

Senator Bernskoetter offered Senate Resolution No. 533, regarding Eagle Scout Joseph Schwartz, Freeburg, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator O'Laughlin introduced to the Senate, Shelby County Queen Melanna Eagan; Junior Miss Shelby County Sadie Wear and Maria Eagan, Shelbina.

Senator Walsh introduced to the Senate, Illinois Attorney General Kwame Raoul.



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

SENATE CALENDAR

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FORTY-FOURTH DAY—TUESDAY, APRIL 2, 2019

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 450-Eggleston	HCS for HB 4
HCS for HB 694	HCS for HB 5
HCS for HB 438	HCS for HB 6
HB 267-Baker	HCS for HB 7
HB 240-Schroer	HCS for HB 8
HCS for HB 356	HCS for HB 9
HB 655-Dinkins	HCS for HB 10
HCS for HB 472	HCS for HB 11
HCS for HB 763	HCS for HB 12
HB 257-Stephens	HCS for HB 13
HCS for HB 80	HCS for HB 456
HCS for HB 169	HB 278-Andrews
HCS for HB 107	HCS for HB 604
HCS#2 for HB 451	HCS for HB 703
HCS for HB 341	HB 124-DeGroot
HCS for HB 677	HCS#2 for HB 462
HCS for HB 1	HB 973-Trent
HCS for HB 2	HCS for HB 959
HCS for HB 3	HB 355-Plocher

THIRD READING OF SENATE BILLS

SB 71-Brown	SCS for SB 174-Crawford (In Fiscal Oversight)
SB 87-Wallingford	SCS for SB 219-Hoskins (In Fiscal Oversight)
SS for SB 145-Burlison	

## SENATE BILLS FOR PERFECTION

- |                                       |   |
|---------------------------------------|---|
| 1. SB 5-Sater, et al, with SCS        | 33. SB 150-Koenig, with SCS                         |
| 2. SB 222-Hough                       | 34. SB 62-Burlison, with SCS                        |
| 3. SB 218-Hoskins                     | 35. SB 278-Wallingford, with SCS                    |
| 4. SB 306-White                       | 36. SB 293-Hough, with SCS                          |
| 5. SB 297-White                       | 37. SB 205-Arthur, with SCS                         |
| 6. SJR 13-Holsman, with SCS           | 38. SB 234-White                                    |
| 7. SB 88-Libla                        | 39. SB 363-Riddle, with SCS                         |
| 8. SB 155-Luetkemeyer                 | 40. SJR 18-Cunningham                               |
| 9. SB 328-Burlison, with SCS          | 41. SB 29-Hegeman, with SCS                         |
| 10. SB 330-Brown, with SCS            | 42. SB 31-Wieland                                   |
| 11. SB 332-Brown                      | 43. SB 34-Riddle, with SCS                          |
| 12. SB 259-Romine                     | 44. SB 318-Burlison                                 |
| 13. SB 225-Curls                      | 45. SB 298-White, with SCS                          |
| 14. SB 3-Curls                        | 46. SBs 279, 139 & 345-Onder and Emery,<br>with SCS |
| 15. SBs 70 & 128-Hough, with SCS      | 47. SB 312-Eigel                                    |
| 16. SB 11-Cunningham                  | 48. SB 300-Eigel                                    |
| 17. SB 316-Burlison                   | 49. SB 343-Eigel, with SCS                          |
| 18. SB 350-O'Laughlin                 | 50. SB 354-Cierpiot, with SCS                       |
| 19. SB 118-Cierpiot, with SCS         | 51. SB 97-Hegeman, with SCS                         |
| 20. SB 141-Koenig                     | 52. SB 391-Bernskoetter                             |
| 21. SB 344-Eigel, with SCS            | 53. SB 1-Curls and Nasheed, with SCS                |
| 22. SB 282-Brown                      | 54. SBs 153 & 117-Sifton, with SCS                  |
| 23. SB 210-May                        | 55. SB 465-Burlison, with SCS                       |
| 24. SB 333-Rizzo                      | 56. SB 296-Cierpiot, with SCS                       |
| 25. SJRs 14 & 9-Luetkemeyer, with SCS | 57. SB 426-Williams                                 |
| 26. SB 255-Bernskoetter               | 58. SB 412-Holsman                                  |
| 27. SB 211-Wallingford                | 59. SB 203-Nasheed, with SCS                        |
| 28. SB 37-Onder and Nasheed, with SCS | 60. SB 414-Wieland                                  |
| 29. SB 78-Sater                       | 61. SB 336-Schupp                                   |
| 30. SB 431-Schatz, with SCS           | 62. SB 60-Arthur, with SCS                          |
| 31. SB 349-O'Laughlin, with SCS       |   |
| 32. SB 276-Rowden, with SCS           |   |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 4-Sater

SB 10-Cunningham, with SCS &amp; SA 1 (pending)

SB 14-Wallingford	SB 76-Sater, with SCS (pending)
SB 16-Romine, with SCS, SS for SCS, SA 3 & point of order (pending)	SB 100-Riddle
SB 19-Libla, with SA 1 (pending)	SB 108-Koenig, with SCS
SB 39-Onder	SB 132-Emery, with SCS
SB 44-Hoskins, with SCS & SS for SCS (pending)	SB 154-Luetkemeyer, with SS & SA 2 (pending)
SBs 46 & 50-Koenig, with SCS, SS for SCS & SA 6 (pending)	SB 160-Koenig, with SCS, SS for SCS & SA 2 (pending)
SB 49-Rowden, with SCS	SB 168-Wallingford, with SCS
SB 52-Eigel, with SCS	SB 184-Wallingford, with SCS
SB 56-Cierpiot, with SCS, SS for SCS & SA 1 (pending)	SB 201-Romine
SB 57-Cierpiot	SB 224-Luetkemeyer, with SS#2 (pending)
SB 65-White, with SS (pending)	SB 252-Wieland, with SCS
SB 69-Hough	SB 292-Eigel, with SCS
	SJR 1-Sater and Onder

CONSENT CALENDAR

House Bills

Reported 3/28

HB 77-Black (7) (Romine)

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 14, with SCS (Hegeman)

RESOLUTIONS

SR 20-Holsman

Reported from Committee

SCR 1-Walsh	SCR 14-Schatz
SCR 8-Holsman	SCR 15-Burlison
SCR 13-Emery	SCR 19-Eigel

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