

Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIFTH DAY—WEDNESDAY, APRIL 3, 2019

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Whoever serves must do so with the strength that God supplies, so that God may be glorified in all things...”: (1 Peter 4:11a)

Gracious God, we are most thankful for the gifts of intellect, strength and health that You provide us so we might fully use these gifts as we go about what You desire us to accomplish. Bless us this day with the discipline we need to exercise regularly and do all things in moderation. 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	Nasheed	O’Laughlin	Onder
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 560, regarding Class 2 State Champion Blair Oaks High School Football team, which was adopted.

Senator Schupp offered Senate Resolution No. 561, regarding Helen E. Kevrick, St. Louis, which was

adopted.

Senator Eigel offered Senate Resolution No. 562, regarding David Anthony “Dave” Vitale, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 563, regarding Robert Edward “Bob” Koetter, St. Charles, which was adopted.

Senator Holsman offered Senate Resolution No. 564, regarding Burns & McDonnell, Kansas City, which was adopted.

REFERRALS

President Pro Tem Schatz referred **HCS** for **HCR 16** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Rowden, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

At the request of Senator Sater, **SB 5**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hough, **SB 222** was placed on the Informal Calendar.

Senator Hoskins moved that **SB 218** be taken up for perfection, which motion prevailed.

Senator Hoskins offered **SS** for **SB 218**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 218

An Act to repeal section 178.530, RSMo, and to enact in lieu thereof one new section relating to agricultural education programs.

Senator Hoskins moved that **SS** for **SB 218** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 218, Page 1, In the Title, Lines 3-4 of the title, by striking “agricultural education programs” and inserting in lieu thereof the following: “education pilot programs for elementary students”; and

Further amend said bill and page, Section A, Line 3 of said page, by inserting after all of said line the following:

“170.020. 1. (1) The department of elementary and secondary education, through its school counseling section, shall be authorized to establish a voluntary pilot program, beginning in the 2020-2021 school year, to provide for mental and emotional health education in elementary schools in the

state. The purpose of the pilot program shall be to determine whether and how to implement an elementary mental and emotional health education program statewide.

(2) The department, through its employees who work in the school counseling section, is authorized to select from among applications submitted by the public elementary schools a minimum of sixteen public elementary schools for participation in the pilot program. If fewer than sixteen schools apply for participation in the program, the department shall select as many eligible schools possible for partnership in the pilot program. The department shall develop an application process for public elementary schools to apply to participate in the pilot program. The local school board for each elementary school selected to be in the pilot program shall agree to implement and fully fund an elementary mental and emotional health program in such school and to continue to provide such elementary mental and emotional health education program for a period no shorter than three years. The local school district may employ a mental and emotional health teacher to provide such program for the elementary school.

(3) The department, through its employees who work in the school counseling section, and local school districts shall collaborate to establish the instructional model for each elementary mental and emotional health education program. Such instructional model shall be grade-appropriate and include instruction in an organized classroom, including instruction on how to set and achieve positive goals, how to utilize coping strategies to handle stress, and shall have an increased emphasis on protective factors, such as problem-solving skills, social support and social connectedness through positive relationships and teamwork.

(4) The department, through its school counseling section, shall provide for a program evaluation regarding the success and impact of the pilot program upon completion of the third year of the pilot program and shall report the results of such evaluation to the relevant house and senate committees on health and mental health, and education.

2. The department shall maintain an adequate number of full-time employees, certified in mental and emotional health education and distributed regionally throughout the state, to provide accountability for program delivery of mental and emotional health education, to continue to develop and maintain pertinent mental and emotional health education instructional model and standards, to assist local school districts on matters related to mental and emotional health education, and to coordinate regional and state-wide activities supporting K-12 mental and emotional health education programming.

3. Nothing in this section shall be construed to require public elementary schools to participate in the pilot program.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that **SA 1** be adopted, which motion prevailed.

Senator Hoskins moved that **SS for SB 282**, as amended, be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS for SB 282**, as amended, was declared perfected and ordered printed.

Senator White moved that **SB 306** be taken up for perfection, which motion prevailed.

Senator White offered **SS** for **SB 306**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 306

An Act to repeal sections 167.020 and 173.1155, RSMo, and to enact in lieu thereof two new sections relating to education for dependents of members of the military, with existing penalty provisions.

Senator White moved that **SS** for **SB 306**, be adopted, which motion prevailed.

On motion of Senator White, **SS** for **SB 306** was declared perfected and ordered printed.

Senator White moved that **SB 297** be taken up for perfection, which motion prevailed.

On motion of Senator White, **SB 297** was declared perfected and ordered printed.

Senator Koenig moved that **SB 108**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 108**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 108

An Act to repeal sections 99.805, 99.810, 99.843, and 99.847, RSMo, and to enact in lieu thereof four new sections relating to tax increment financing.

Was taken up.

Senator Koenig moved that **SCS** for **SB 108** be adopted.

Senator Koenig offered **SS** for **SCS** for **SB 108**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 108

An Act to repeal sections 99.805, 99.810, 99.843, and 99.847, RSMo, and to enact in lieu thereof four new sections relating to tax increment financing.

Senator Koenig moved that **SS** for **SCS** for **SB 108** be adopted.

Senator Cierpiot offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 108, Page 12, Section 99.847, Line 9 of said page, by inserting immediately after the closing bracket “]” the following: “**unless such project is located in:**

(1) A county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(2) A county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat; or

(3) A county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants”.

Senator Cierpiot moved that **SA 1** be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 108, Page 1, Section 99.805, Line 16 of said page, by inserting immediately after “use” the following: “, **and, for redevelopment areas located in a city not within a county, which has a median household income less than or equal to two hundred percent of the federal poverty level, as determined by the most current five-year figures published by the American Community Survey conducted by the United States Census Bureau**”.

Senator Nasheed moved that **SA 2** be adopted, which motion prevailed.

Senator Koenig moved that **SS** for **SCS** for **SB 108**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS** for **SCS** for **SB 108**, as amended, was declared perfected and ordered printed.

Senator Hoskins moved that **SB 44**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 44** was again taken up.

At the request of Senator Hoskins, **SS** for **SCS** for **SB 44** was withdrawn.

Senator Hoskins offered **SS No. 2** for **SCS** for **SB 44**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 44

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 313.800, 572.010, and 572.100, RSMo, and to enact in lieu thereof twenty-nine new sections relating to gaming, with penalty provisions.

Senator Hoskins moved that **SS No. 2** for **SCS** for **SB 44** be adopted.

Senator May offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 44, Page 25, Section 313.429, Line 22, by striking the words “an equal” and inserting in lieu thereof the following: “**a negotiated**”; and

Further amend said bill and section, page 31, line 14, by striking the word “equally” and inserting in lieu thereof the following: “**as negotiated**”.

Senator May moved that **SA 1** be adopted.

Senator May offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 44, Page 1, Line 1, by inserting after the word “page” the following: “17, Section 313.427, line 18, by striking “or”; and further amend line 19 by inserting after “organization;” the following: “**or**

(d) Any establishment authorized to sell intoxicating liquor pursuant to chapter 311 where only patrons who are older than twenty-one years of age are authorized to enter the establishment”; and

Further amend said bill, page”.

Senator May moved that **SA 1** to **SA 1** be adopted, which motion failed.

SA 1 was again taken up.

Senator May moved that **SA 1** be adopted and requested a roll call vote be taken. She was joined in her request by Senators Burlison, Holsman, Nasheed and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Arthur	Burlison	Crawford	May	Nasheed	Rizzo	Schupp
Sifton	Walsh	Wieland—10				

NAYS—Senators

Bernskoetter	Brown	Cierpiot	Cunningham	Eigel	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	O’Laughlin	Onder
Riddle	Rowden	Sater	Schatz	Wallingford	White	Williams—21

Absent—Senators

Holsman	Romine—2
---------	----------

Absent with leave—Senator Curls—1

Vacancies—None

Senator Nasheed offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 44, Page 4, Section 311.710, Line 13, by inserting after “572” the following: “, **provided that devices containing games for which there is no element of chance, including games in which all outcomes and prizes are predetermined, shall not be considered a gambling device”.**

Senator Nasheed moved that **SA 2** be adopted.

At the request of Senator Hoskins, **SS No. 2** for **SCS** for **SB 44** was withdrawn, rendering **SA 2** moot.

Senator Hoskins offered **SS No. 3** for **SCS** for **SB 44**, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 44

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 313.800, 572.010, and 572.100, RSMo, and to enact in lieu thereof thirty-two new sections relating to gaming, with penalty provisions.

Senator Hoskins moved that **SS No. 3** for **SCS** for **SB 44** be adopted.

At the request of Senator Hoskins, **SB 44** with **SCS** and **SS No. 3** for **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 108**, **SS** for **SB 218**, **SS** for **SB 306** and **SB 297**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following revised conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 14**: Senators Hegeman, Hough, Hoskins, Nasheed and Rizzo.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 565, regarding George Peter Stehlin, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 566, regarding Donald G. “Don” Cook, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 567, regarding Melvin H. “Mel” Ohlau, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 568, regarding Jack Edwin Stoessel, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 569, regarding Harold Warren Howard, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 570, regarding Charles Robert Kinealy, Lemay, which was adopted.

Senator Sifton offered Senate Resolution No. 571, regarding Jesse Edward “Jess” Anderson, St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Bernskoetter introduced to the Senate, his wife, Jeanette, his daughter, Krista Castrop,

daughters-in-law Tina and Robin Bernskoetter, and grandchildren, Chase Castrop and Trent, Julia, John, Grace and Cody Bernskoetter, Jefferson City; and Chase, Trent, Julia, John, Grace and Cody were made honorary pages.

Senator White introduced to the Senate, 2019 Missouri Outstanding Citizenship Award recipient Maici Craig, and her parents, Rick and Allison; and Instructor Terry Higgins, and his wife, Lynn, Carl Junction.

Senator Brown introduced to the Senate, Lorie Bourne, Rolla.

Senator Cierpiot introduced to the Senate, Principal Charlie Belt; Sophie Mermelstein and Elias Swickard, Blue Springs High School; and Michaela Ross and Gavin Schaefer, Blue Springs South High School.

Senator Crawford introduced to the Senate, Glen and Cathie Nelson, Lincoln.

Senator Bernskoetter introduced to the Senate, Head Coach Ted LePage; assistant coaches Lerone Briggs, Mike Cook, John Butler, Andrew Terpstra, Josh Linnenbrink, Mason Swisher and Kevin Alewine; and members of the 2018 Class 2 State Champion Blair Oaks Falcons football team.

Senator Emery introduced to the Senate, teacher Tina Sudkamp, and Jackson Dryer, Chosen Reichard, Sam Miller, Jade Feller and Cody Jenkins, Nevada High School.

Senator White introduced to the Senate, thirty students from Franklin Technology Center's Skills USA Career and Technology student organization, Joplin.

Senator Williams introduced to the Senate, Paulette Carr and Mary Neal, University City.

Senator Holsman introduced to the Senate, President Vickie Wolgast, and the South Kansas City Chamber of Commerce 2019 Leadership Class.

Senator May introduced to the Senate, Alderwoman Sharon Tyus, St. Louis.

On behalf of Senator Schupp, the President introduced to the Senate, Father Chris Dunlap, teacher Joan Patton, and students from Christ Prince of Peace School, Ballwin.

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

SENATE CALENDAR

FORTY-SIXTH DAY—THURSDAY, APRIL 4, 2019

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 450-Eggleston
HCS for HB 694
HCS for HB 438

HB 267-Baker
HB 240-Schroer
HCS for HB 356

HB 655-Dinkins	HCS for HB 8
HCS for HB 472	HCS for HB 9
HCS for HB 763	HCS for HB 10
HB 257-Stephens	HCS for HB 11
HCS for HB 80	HCS for HB 12
HCS for HB 169	HCS for HB 13
HCS for HB 107	HCS for HB 456
HCS#2 for HB 451	HB 278-Andrews
HCS for HB 341	HCS for HB 604
HCS for HB 677	HCS for HB 703
HCS for HB 1	HB 124-DeGroot
HCS for HB 2	HCS#2 for HB 462
HCS for HB 3	HB 973-Trent
HCS for HB 4	HCS for HB 959
HCS for HB 5	HB 355-Plocher
HCS for HB 6	HRB 1-Shaul
HCS for HB 7	

THIRD READING OF SENATE BILLS

SB 71-Brown	SS for SCS for SB 108-Koenig
SB 87-Wallingford	SS for SB 218-Hoskins
SS for SB 145-Burlison	SS for SB 306-White
SCS for SB 174-Crawford (In Fiscal Oversight)	SB 297-White
SCS for SB 219-Hoskins (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

1. SJR 13-Holsman, with SCS	13. SB 350-O'Laughlin
2. SB 88-Libla	14. SB 118-Cierpiot, with SCS
3. SB 155-Luetkemeyer	15. SB 141-Koenig
4. SB 328-Burlison, with SCS	16. SB 344-Eigel, with SCS
5. SB 330-Brown, with SCS	17. SB 282-Brown
6. SB 332-Brown	18. SB 210-May
7. SB 259-Romine	19. SB 333-Rizzo
8. SB 225-Curls	20. SJRs 14 & 9-Luetkemeyer, with SCS
9. SB 3-Curls	21. SB 255-Bernskoetter
10. SBs 70 & 128-Hough, with SCS	22. SB 211-Wallingford
11. SB 11-Cunningham	23. SB 37-Onder and Nasheed, with SCS
12. SB 316-Burlison	24. SB 78-Sater

- | | |
|---|--------------------------------------|
| 25. SB 431-Schatz, with SCS | 42. SB 312-Eigel |
| 26. SB 349-O'Laughlin, with SCS | 43. SB 300-Eigel |
| 27. SB 276-Rowden, with SCS | 44. SB 343-Eigel, with SCS |
| 28. SB 150-Koenig, with SCS | 45. SB 354-Cierpiot, with SCS |
| 29. SB 62-Burlison, with SCS | 46. SB 97-Hegeman, with SCS |
| 30. SB 278-Wallingford, with SCS | 47. SB 391-Bernskoetter |
| 31. SB 293-Hough, with SCS | 48. SB 1-Curls and Nasheed, with SCS |
| 32. SB 205-Arthur, with SCS | 49. SBs 153 & 117-Sifton, with SCS |
| 33. SB 234-White | 50. SB 465-Burlison, with SCS |
| 34. SB 363-Riddle, with SCS | 51. SB 296-Cierpiot, with SCS |
| 35. SJR 18-Cunningham | 52. SB 426-Williams |
| 36. SB 29-Hegeman, with SCS | 53. SB 412-Holsman |
| 37. SB 31-Wieland | 54. SB 203-Nasheed, with SCS |
| 38. SB 34-Riddle, with SCS | 55. SB 414-Wieland |
| 39. SB 318-Burlison | 56. SB 336-Schupp |
| 40. SB 298-White, with SCS | 57. SB 60-Arthur, with SCS |
| 41. SBs 279, 139 & 345-Onder and Emery,
with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 4-Sater | SB 65-White, with SS (pending) |
| SB 5-Sater, et al, with SCS | SB 69-Hough |
| SB 10-Cunningham, with SCS & SA 1 (pending) | SB 76-Sater, with SCS (pending) |
| SB 14-Wallingford | SB 100-Riddle |
| SB 16-Romine, with SCS, SS for SCS, SA 3
& point of order (pending) | SB 132-Emery, with SCS |
| SB 19-Libla, with SA 1 (pending) | SB 154-Luetkemeyer, with SS & SA 2 (pending) |
| SB 39-Onder | SB 160-Koenig, with SCS, SS for SCS & SA 2
(pending) |
| SB 44-Hoskins, with SCS & SS#3 for SCS
(pending) | SB 168-Wallingford, with SCS |
| SBs 46 & 50-Koenig, with SCS, SS for SCS
& SA 6 (pending) | SB 184-Wallingford, with SCS |
| SB 49-Rowden, with SCS | SB 201-Romine |
| SB 52-Eigel, with SCS | SB 222-Hough |
| SB 56-Cierpiot, with SCS, SS for SCS & SA 1
(pending) | SB 224-Luetkemeyer, with SS#2 (pending) |
| SB 57-Cierpiot | SB 252-Wieland, with SCS |
| | SB 292-Eigel, with SCS & SS#2 for SCS
(pending) |
| | 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 8-Holsman
SCR 13-Emery

HCR 14-Schatz
SCR 15-Burlison
SCR 19-Eigel

✓