

# Journal of the Senate

FIRST REGULAR SESSION

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**FORTY-EIGHTH DAY—TUESDAY, APRIL 9, 2019**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I have heard of you by the hearing of the ear, but now my eye sees you.” (Job 42:5)

Gracious God, as we are disciplined and tested in the crucible of life we experience the blessing of every believing child of You, our God. We believe we can never sufficiently thank You for the gift of eyes to see the burden of our failures yet see also the beauty of the opportunities You set before us. Guide us by Your Spirit and let us see the wonders that unfold before us. 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
Eigel	Emery	Hegeman	Holsman	Hoskins	Hough	Koenig
Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators

Curls Walsh—2

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Libla offered Senate Resolution No. 593, regarding Katherine Wyman, Dexter, which was adopted.

Senator White offered Senate Resolution No. 594, regarding Destiny Giddens, Joplin, which was adopted.

Senator White offered Senate Resolution No. 595, regarding Maddie Barchak, Joplin, which was adopted.

Senator Cunningham offered Senate Resolution No. 596, regarding the Seventieth Wedding Anniversary of Eldon and Genelle Mahan, Gainsville, which was adopted.

Senator Eigel offered Senate Resolution No. 597, regarding Allison Kelley, which was adopted.

Senator May offered Senate Resolution No. 598, regarding Molly Roeder, which was adopted.

### CONCURRENT RESOLUTIONS

Senator Bernskoetter offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 26

Whereas, more than 82,000 United States service members remain unaccounted for from World War II, the Korean War, the Vietnam War, and the Cold War, of which 2,297 are Missourians; and

Whereas, for over seventy years the families of those missing have been deprived of the peace that comes with laying to rest the remains of a loved one or at least knowing that loved one's fate; and

Whereas, the basic principle of national honor in the Armed Forces of the United States of America is that the United States leaves no one behind; and

Whereas, the United States has an obligation to the missing and to their families to enforce this principle and provide information and answers; and

Whereas, in 1993, the United States Senate Select Committee on POW/MIA Affairs noted in its final report that declassifying the records related to POWs and MIAs could have eliminated much of the controversy and unnecessary secrecy surrounding the United States government's handling of the POW/MIA issues, which bred suspicion and distrust; and

Whereas, federal statutes and multiple presidential executive orders have called for the declassification of records relating to POWs and MIAs, but such mandates have been limited in scope, lacked enforcement mechanisms, and included broad exceptions that have been routinely cited by federal agencies as justification for continued classification of documents; and

Whereas, all government agencies should be directed by Congress and the Executive Branch of the United States to identify, locate, review, and declassify this vital information, subject to reasonable standards and limitations; and

Whereas, declassification and availability of these records would allow families of the missing and others in the private sector to conduct research, gain relevant information, and, thereby, hold the federal government accountable; and

Whereas, the governments of Vietnam and the Republic of Korea are now offering increased support to the United States POW/MIA recovery efforts, and diplomatic efforts with other involved countries continue; and

Whereas, the "Bring Our Heroes Home Act", which will be introduced in the United States Senate, sets forth an integrated process for comprehensive declassification of records pertaining to missing Armed Forces personnel records, subject to legitimate limitations and exceptions:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby call on the Missouri members of the United States Senate to support and contribute to the early consideration and passage of the "Bring Our Heroes Home Act"; and

Be It Further Resolved that the members of the Missouri General Assembly, hereby call on all members of the Missouri Congressional delegation to lend their influence to the cause of resolving the cases of all Missourians who remain unaccounted for from past conflicts; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

### SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 77**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

**HOUSE BILLS ON SECOND READING**

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

**HCS for HB 456**—Education.

**HB 278**—Small Business and Industry.

**HCS for HB 604**—Education.

**HCS for HB 703**—Ways and Means.

**HB 124**—Judiciary and Civil and Criminal Jurisprudence.

**HCS No. 2 for HB 462**—Education.

**HB 973**—Rules, Joint Rules, Resolutions and Ethics.

**HCS for HB 959**—Small Business and Industry.

**HB 355**—Commerce, Consumer Protection, Energy and the Environment.

**HRB 1**—Judiciary and Civil and Criminal Jurisprudence.

**HCS for HB 982**—Transportation, Infrastructure and Public Safety.

**HB 628**—Health and Pensions.

**HB 1029**—Insurance and Banking.

**HCS for HB 762**—Local Government and Elections.

**HCS for HB 1088**—Government Reform.

**HCS for HB 824**—Agriculture, Food Production and Outdoor Resources.

**HCS for HB 739**—Education.

**HCS for HBs 812 & 832**—Transportation, Infrastructure and Public Safety.

**HCS No. 2 for HB 626**—Transportation, Infrastructure and Public Safety.

**HCS No. 2 for HB 352**—Judiciary and Civil and Criminal Jurisprudence.

**HB 715**—Veterans and Military Affairs.

**HCS for HB 400**—Veterans and Military Affairs.

**HB 563**—Health and Pensions.

**HB 1061**—Economic Development.

**HB 265**—General Laws.

**HB 332**—Small Business and Industry.

**HCS for HB 266**—Small Business and Industry.

**HCS for HB 168**—Health and Pensions.

**HB 272**—Small Business and Industry.

**HCS No. 2** for **HB 374**—Ways and Means.

**HCS** for **HB 160**—Commerce, Consumer Protection, Energy and the Environment.

**HB 723**—Health and Pensions.

**HB 898**—Transportation, Infrastructure and Public Safety.

**HB 841**—Health and Pensions.

**HB 831**—Transportation, Infrastructure and Public Safety.

**HB 815**—Insurance and Banking.

**HB 575**—Transportation, Infrastructure and Public Safety.

**HB 485**—Government Reform.

**HCS** for **HB 559**—Agriculture, Food Production and Outdoor Resources.

**HB 728**—Judiciary and Civil and Criminal Jurisprudence.

**HCS** for **HB 269**—Local Government and Elections.

**HB 501**—General Laws.

**HCS** for **HB 229**—Seniors, Families and Children.

**HCS** for **HB 346**—Veterans and Military Affairs.

**HCS** for **HB 700**—Judiciary and Civil and Criminal Jurisprudence.

**HB 761**—Local Government and Elections.

**HB 584**—Transportation, Infrastructure and Public Safety.

### REFERRALS

President Pro Tem Schatz referred **HB 188** to the Committee on Fiscal Oversight.

President Pro Tem Schatz referred **SCR 25** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### SENATE BILLS FOR PERFECTION

Senator Holsman moved that **SJR 13**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SJR 13**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 13

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 3, 5, 7, 8, 9, 16, and 19 of article III of the Constitution of Missouri, and adopting seven new sections in lieu

thereof relating to members of the general assembly.

Was taken up.

Senator Holsman moved that **SCS** for **SJR 13** be adopted.

Senator Holsman offered **SS** for **SCS** for **SJR 13**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 13

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 3, 7, 8, 9, 16, and 19 of article III of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to members of the general assembly.

Senator Holsman moved that **SS** for **SCS** for **SJR 13** be adopted.

Senator Bernskoetter assumed the Chair.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Joint Resolution No. 13, Page 1, In the Title, Line 6, by striking “members of”; and

Further amend said bill and page, section A, line 10 of said page, by inserting after all of said line the following:

“Section 2. (a) After December 6, 2018, no person serving as a member of or employed by the general assembly shall act or serve as a paid lobbyist, register as a paid lobbyist, or solicit prospective employers or clients to represent as a paid lobbyist during the time of such service until the expiration of two calendar years after the conclusion of the session of the general assembly in which the member or employee last served and where such service was after December 6, 2018.

(b) No person serving as a member of or employed by the general assembly shall accept directly or indirectly a gift of any tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist principal [in excess of five dollars per occurrence]. This Article shall not prevent candidates for the general assembly, including candidates for reelection, or candidates for offices within the senate or house from accepting campaign contributions consistent with this Article and applicable campaign finance law. Nothing in this section shall prevent individuals from receiving gifts, family support or anything of value from those related to them within the fourth degree by blood or marriage. [The dollar limitations of this section shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency, and rounded to the nearest dollar amount.]

(c) The general assembly shall make no law authorizing unlimited campaign contributions to candidates for the general assembly, nor any law that circumvents the contribution limits contained in this Constitution. In addition to other campaign contribution limitations or restrictions provided for by law, the amount of contributions made to or accepted by any candidate or candidate committee from any person other than the

candidate in any one election for the general assembly shall not exceed the following:

- (1) To elect an individual to the office of state senator, two thousand five hundred dollars; and
- (2) To elect an individual to the office of state representative, two thousand dollars.

The contribution limits and other restrictions of this section shall also apply to any person exploring a candidacy for a public office listed in this subsection.

For purposes of this subsection, “base year amount” shall be the contribution limits prescribed in this section. Contribution limits set forth herein shall be adjusted on the first day of January in each even-numbered year hereafter by multiplying the base year amount by the cumulative Consumer Price Index and rounded to the nearest dollar amount, for all years after 2018.

(d) No contribution to a candidate for legislative office shall be made or accepted, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to, or with the intent to, conceal the identity of the actual source of the contribution. There shall be a rebuttable presumption that a contribution to a candidate for public office is made or accepted with the intent to circumvent the limitations on contributions imposed in this section when a contribution is received from a committee or organization that is primarily funded by a single person, individual, or other committee that has already reached its contribution limit under any law relating to contribution limitations. A committee or organization shall be deemed to be primarily funded by a single person, individual, or other committee when the committee or organization receives more than fifty percent of its annual funding from that single person, individual, or other committee.

(e) In no circumstance shall a candidate be found to have violated limits on acceptance of contributions if the Missouri ethics commission, its successor agency, or a court determines that a candidate has taken no action to indicate acceptance of or acquiescence to the making of an expenditure that is deemed a contribution pursuant to this section.

(f) No candidate shall accept contributions from any federal political action committee unless the committee has filed the same financial disclosure reports that would be required of a Missouri political action committee.”; and

Further amend said bill and page, section 3, line 11 of said page, by inserting immediately before the word “There” an opening bracket “[”]; and

Further amend said bill and section, page 3, line 6 of said page, by inserting immediately after “(c)” the following: “[ **The districts of the house of representatives shall be apportioned by an Independent Citizens Redistricting Commission.**”]; and further amend line 9 of said page, by striking “(1)” and inserting in lieu thereof the following: “**(b) Within sixty days after the population of this state is reported to the President for each decennial census of the United States and, in the event that a reapportionment plan has been invalidated by a court of competent jurisdiction, within sixty days after notification by the governor that such a ruling has been made, the congressional district committee of each of the two parties casting the highest vote for governor at the last preceding election shall meet and the members of the committee shall nominate, by a majority vote of the members of the committee present, provided that a majority of the elected members is present, two members of their party, residents in that district, as nominees for reapportionment commissioners. Neither party shall select more than one nominee from any one state house of representatives district. The congressional committees shall**

each submit to the governor their list of elected nominees. Within thirty days the governor shall appoint a commission consisting of one name from each list to reapportion the state into one hundred and sixty-three representative districts and to establish the numbers and boundaries of said districts.

(c) If either of the congressional district committees fails to submit a list within such time the governor shall appoint a member of his own choice from that district and from the political party of the committee failing to make the appointment.

(d) Members of the commission and any person related to any member by the fourth degree by blood or marriage shall be disqualified from holding office as members of the general assembly for four years following the date of the filing by the commission of its final statement of apportionment.

(e) For the purposes of this article, the term congressional district committee refers to the congressional district committee or the congressional district from which a member of congress was last elected, or, in the event members of congress from this state have been elected at large, the term congressional district committee refers to those persons who last served as the congressional district committee for those districts from which members of congress were last elected. Any action pursuant to this section by the congressional district committee shall take place only at duly called meetings, shall be recorded in their official minutes, and only members physically present shall be permitted to vote.

(f) The commissioners so selected shall, on the fifteenth day, excluding Sundays and state holidays, after all members have been selected, meet in the capitol building and proceed to organize by electing from their number a chairman, vice chairman, and secretary and shall adopt an agenda establishing at least three hearing dates on which hearings open to the public shall be held. A copy of the agenda shall be filed with the chief clerk of the house of representatives within twenty-four hours after its adoption. Executive meetings may be scheduled and held as often as the commission deems advisable.

(g)”; and further amend lines 13-14 of said page, by striking “nonpartisan state demographer” and inserting in lieu thereof the following: “**commission**”; and further amend lines 17-18 of said page, by striking all of said lines and inserting in lieu thereof the following:

“a. Districts shall:

i. Be established on the basis of total population[. Legislative Districts shall];

ii. Each have a total”; and further amend line 22 of said page, by inserting immediately after said line the following:

“iii. **Consist of contiguous territory; and**

iv. **To the extent possible, keep together communities of interest, including but not limited to cities and counties. Areas which meet only at the points of adjoining corners shall not be considered contiguous;**”; and

Further amend said bill and section, page 4, line 5 of said page, by inserting immediately before the word “Districts” the following: “c.”; and further amend line 12 of said page, by inserting immediately before the word “To” an opening bracket “[”]; and

Further amend said bill and section, page 6, lines 23-25 of said page, by striking all of the opening brackets “[”, the closing brackets “]”, and underlined language from said lines; and

Further amend said bill and section, page 8, line 24 of said page, by inserting at the end of said line a closing bracket “]”; and further amend line 25 of said page, by inserting immediately before the word “Each” the following:

**“(h) Not later than five months after the appointment of the member of the commission, the commission shall file with the secretary of state a tentative plan of apportionment and map of the proposed districts and during the ensuing fifteen days shall hold such public hearings as may be necessary to hear objections or testimony of interested persons.**

**(i) Not later than six months after the appointment of the commission, the commission shall file with the secretary of state a final statement of the numbers and the boundaries of the districts together with a map of the districts, provided that no statement shall be valid unless approved by at least seven-tenths of the members.**

**(j) After the statement is filed with the secretary of state, members of the house of representatives shall be elected according to such districts until a reapportionment plan is made as provided in this section, except that if the statement is not filed within six months of the time fixed for the appointment of the commission, it shall stand discharged and the house of representatives shall be apportioned by a commission of six members appointed from among the judges of the appellate courts of the state of Missouri by the state supreme court, a majority of whom shall sign and file its apportionment plan and map with the secretary of state within ninety days of the date of the discharge of the apportionment commission. Thereafter members of the house of representatives shall be elected according to such districts until a reapportionment is made as provided in this section.**

**(k)”; and**

Further amend said bill and section, page 9, line 2 of said page, by inserting immediately before the word “No” the following: **“(l)”; and**

Further amend said bill and page, section 7, line 3 of said page, by inserting immediately after “(a)” an opening bracket “[”; and further amend line 23 of said page, by striking the opening bracket “[” and the closing bracket “]” from said line; and

Further amend said bill and section, page 10, lines 27-28 of said page, by striking the opening bracket “[” and the closing bracket “]” from said lines; and

Further amend said bill and section, page 11, line 8 of said page, by inserting immediately after “districts.” the following: **“] Legislative districts shall be apportioned by an Independent Citizens Redistricting Commission. Within sixty days after the population of this state is reported to the President for each decennial census of the United States, and in the event that a reapportionment plan has been invalidated by a court of competent jurisdiction, within sixty days after notification by the governor that such a ruling has been made, the state committee of each of the two political parties casting the highest vote for governor at the last preceding election shall, at a committee meeting duly called, select by a vote of the individual committee members, and thereafter submit to the governor a list of ten persons, and within thirty days thereafter the governor shall appoint a commission of ten members, five from each list, to reapportion the thirty-four senatorial districts and to establish the numbers and boundaries of said districts.**

**(b) If either of the party committees fails to submit a list within such time, the governor shall**



appoint five members of his own choice from the party of the committee so failing to act.

(c) Members of the commission and any person related to any member by the fourth degree by blood or marriage shall be disqualified from holding office as members of the general assembly for four years following the date of the filing by the commission of its final statement of apportionment.

(d) The commissioners so selected shall on the fifteenth day, excluding Sundays and state holidays, after all members have been selected, meet in the capitol building and proceed to organize by electing from their number a chairman, vice chairman, and secretary and shall adopt an agenda establishing at least three hearing dates on which hearings open to the public shall be held. A copy of the agenda shall be filed with the secretary of the senate within twenty-four hours after its adoption. Executive meetings may be scheduled and held as often as the commission deems advisable.

(e) Within ten days after the population of this state is reported to the President for each decennial census of the United States or, in the event that a reapportionment has been invalidated by a court of competent jurisdiction, within ten days after such a ruling has been made, the commission shall begin the preparation of legislative districting plans and maps using the following methods, listed in order of priority:

(1) Districts shall:

a. Be established on the basis of total population;

b. Each have a total population as nearly equal as practicable to the ideal population for such districts, determined by dividing the total population of the state reported in the federal decennial census by thirty-four; provided that, no county lines shall be crossed except when necessary to add sufficient population to a multi-district county or city to complete only one district which lies partly within such multi-district county or city so as to be as nearly equal as practicable in population and any county with a population in excess of the quotient obtained by dividing the population of the state by the number thirty-four is hereby declared to be a multi-district county;

c. Consist of contiguous territory; and

d. To the extent possible, keep together communities of interest, including but not limited to cities and counties. Areas which meet only at the points of adjoining corners are not contiguous;

(2) Districts shall be established in a manner so as to comply with all requirements of the United States Constitution and applicable federal laws, including, but not limited to, the Voting Rights Act of 1965, as amended. Notwithstanding any other provision of this article to the contrary, districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or diminishing their ability to elect representatives of their choice, whether by themselves or by voting in concert with other persons;

(3) Districts shall be designed in a manner that achieves both partisan fairness and, secondarily, competitiveness. “Partisan fairness” means that parties shall be able to translate their popular support into legislative representation with approximately equal efficiency. “Competitiveness” means that parties’ legislative representation shall be substantially and similarly responsive to shifts in the electorate’s preferences.

(f) Not later than five months after the appointment of the commission, the commission shall file

with the secretary of state a tentative plan of apportionment and map of the proposed districts and during the ensuing fifteen days shall hold such public hearings as may be necessary to hear objections or testimony of interested persons.

(g) Not later than six months after the appointment of the commission, the commission shall file with the secretary of state a final statement of the numbers and the boundaries of the districts together with a map of the districts, and no statement shall be valid unless approved by at least seven members.

(h) After the statement is filed senators shall be elected according to such districts until a reapportionment is made as provided in this section, except that if the statement is not filed within six months of the time fixed for the appointment of the commission, it shall stand discharged and the legislative districts shall be apportioned by a commission of six members appointed from among the judges of the appellate courts of the state of Missouri by the state supreme court, a majority of whom shall sign and file its apportionment plan and map with the secretary of state within ninety days of the date of the discharge of the apportionment commission. Thereafter senators shall be elected according to such districts until a reapportionment is made as provided in this section.; and further amend line 9 of said page, by inserting immediately before the word “Each” the following: “(i)”; and further amend line 14 of said page, by inserting immediately before the word “No” the following: “(j)”; and

Further amend said bill, page 14, section 19, line 23 of said page, by striking the word “and”; and further amend line 25 of said page, by inserting immediately after the word “assembly” the following: “; and

**iv. Records of members of the general assembly that include personally identifiable information of Missouri residents”;** and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Onder requested a roll call vote be taken on the adoption of SA 1. He was joined in his request by Senators Crawford, Cunningham, Emery and White.

At the request of Senator Holsman, **SJR 13**, with **SCS, SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Luetkemeyer moved that **SJR 14** and **SJR 9**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SJR 14** and **9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NOS. 14 and 9

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri, by adding thereto one new section relating to the limitation of terms served by certain elected officers.

Was taken up.

Senator Luetkemeyer moved that **SCS** for **SJR 14** and **9** be adopted.

Senator Luetkemeyer offered **SS** for **SCS** for **SJR 14** and **9**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NOS. 14 & 9

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri, by adding thereto one new section relating to the limitation of terms served by certain elected officers.

Senator Luetkemeyer moved that **SS** for **SCS** for **SJR**s **14** and **9** be adopted.

President Kehoe assumed the Chair.

Senator Luetkemeyer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Joint Resolution Nos. 14 & 9, Page 2, Section 15, Lines 4-5, by striking all of said lines and inserting in lieu thereof the following: “**17 that relate to term limitations, provided that service in the offices of governor or state treasurer resulting from an election or**”.

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

Senator Luetkemeyer moved that **SS** for **SCS** for **SJR**s **14** and **9**, as amended, be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS** for **SCS** for **SJR**s **14** and **9**, as amended, was declared perfected and ordered printed.

Senator Rowden requested unanimous consent of the Senate to go to the Order of Business of Concurrent Resolutions.

Senator Eigel rose to object.

Senator Rowden moved that the Senate go to the Order of Business of Concurrent Resolutions, which motion prevailed.

**SCR 14**, introduced by Senator Schatz, entitled:

Relating to transportation bonds.

Was taken up.

Senator Schatz offered **SS** for **SCR 14**, entitled:

SENATE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION NO. 14

Relating to transportation bonds.

Whereas, the General Assembly recognizes the need for the repair of bridges on the state highway system that are contained in the Highways and Transportation Commission’s Statewide Transportation Improvement Program for years 2020 to 2023; and

Whereas, pursuant to Article IV, Section 30(b) of the Missouri Constitution, the Highways and Transportation Commission is authorized to issue state road bonds to fund the construction and reconstruction of the state highway system; and

Whereas, the General Assembly desires that the Highways and Transportation Commission issue state road bonds to finance the planning, designing, construction, reconstruction, rehabilitation, and significant repair of two hundred fifty bridges on the state highway system that are

contained in the Statewide Transportation Improvement Program for 2020 to 2023; and

Whereas, the General Assembly wishes to assist the Highways and Transportation Commission by providing funds as first recourse for payment of the debt service for such bonds from General Revenue Fund revenues to the State Road Fund:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby support the following:

1. The planning, designing, construction, reconstruction, rehabilitation, and significant repair of two hundred fifty bridges on the state highway system as selected by the Highways and Transportation Commission and included in the Commission's latest approved Statewide Transportation Improvement Program for years 2020 to 2023;

2. The total estimated project costs for two hundred fifty bridges, not to exceed three hundred fifty-one million dollars; and

3. The issuance of Highways and Transportation Commission state road bonds in an amount sufficient to pay such project costs, plus costs of issuance, with such bonds to be payable over a term not to exceed seven years; and

Be It Further Resolved that the members of the General Assembly support the following:

1. That the debt service for such state road bonds issued by the Highways and Transportation Commission shall be payable from future appropriations to be made by the General Assembly of General Revenue Fund revenues to the State Road Fund in an amount not to exceed fifty-four million dollars per year; and

2. Pursuant to Article IV, Section 28 of the Missouri Constitution, this resolution shall not bind future General Assemblies to make any appropriation for this purpose, although it is the present intent of the General Assembly that during each of the fiscal years of the state in which the term of such state road bonds remain outstanding, General Revenue Fund revenues be appropriated to the State Road Fund in an amount sufficient to pay the debt service on such bonds; and

Be It Further Resolved that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices, and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the members, staff, consultants, and advisors of the Highways and Transportation Commission in issuing such state road bonds; and

2. Execute and deliver a financing agreement with the Highways and Transportation Commission to provide funds appropriated on an annual basis from General Revenue Fund revenues to the State Road Fund for payment of the debt service on such bonds and such other documents and certificates related to such bonds as are consistent with the terms of this concurrent resolution; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Senator Schatz moved that **SS** for **SCR 14** be adopted.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

Senator Rowden assumed the Chair.

Senator Hegeman assumed the Chair.

President Kehoe assumed the Chair.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Schatz, **SCR 14**, with **SS** (pending), was placed on the Informal Calendar.

### **MESSAGES FROM THE HOUSE**

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 6**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 6  
Relating to Victims of Communism Memorial Day.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the year 2017 marked 100 years since the Bolshevik Revolution in Russia resulting in the world's first communist regime

under Vladimir Lenin, which led to decades of oppression and violence under communist regimes throughout the world; and

WHEREAS, based on the philosophy of Karl Marx, communism has proven incompatible with the ideals of liberty, prosperity, and dignity of human life and has given rise to such infamous totalitarian dictators as Joseph Stalin, Mao Zedong, Ho Chi Minh, Pol Pot, Nicolae Ceausescu, the Castro brothers, and the Kim dynasty; and

WHEREAS, President Donald Trump declared November 7, 2017, a National Day for the Victims of Communism, condemning communism as a political philosophy “incompatible with liberty, prosperity, and the dignity of human life;” and

WHEREAS, the bipartisan U.S. Congressional Caucus for the Victims of Communism stated publicly in 2018 that “Marx’s defenders often say he cannot be held accountable for what communist regimes did long after his life and death; but Marxist dictators who massacred their own people were applying communist ideology to political practice,” and

WHEREAS, communist regimes worldwide have killed more than 100 million people and subjected countless others to the worst and widest-spread human rights abuses known to history, with victims representing many different ethnicities, creeds, and backgrounds; and

WHEREAS, through false promises of equality and liberation, communist regimes have as a matter of government policy robbed their own citizens of the rights of freedom of religion, freedom of speech, and freedom of association through coercion, brutality, and fear; and

WHEREAS, many victims of communism were persecuted as political prisoners for speaking out against these regimes, and others were killed in genocidal state-sponsored purges; and

WHEREAS, in addition to violating basic human rights, communist regimes have suppressed freedom of conscience, cultural life, and self-determination movements in more than 40 nations; and

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the One Hundredth General Assembly, First Regular Session, the Senate concurring therein, hereby designate November 7 of each year as Victims of Communism Memorial Day; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Victims of Communism Memorial Foundation; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

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 **SS** for **SCS** for **SJR**s **14** and **9**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

## RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 599, regarding Pamela Lynn Warman, Jefferson City, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 600, regarding William E. McAnany Jr., Jefferson City, which was adopted.

Senator Cierpiot offered Senate Resolution No. 601, regarding Benjamin Rao, which was adopted.

Senator Cunningham offered Senate Resolution No. 602, regarding Brenda Day, Hartville, which was adopted.

Senator Cunningham offered Senate Resolution No. 603, regarding Dale Day, Hartville, which was adopted.

Senator Cunningham offered Senate Resolution No. 604, regarding Ronnie Harper, West Plains, which was adopted.

Senator Riddle offered Senate Resolution No. 605, regarding Larry Smith, Fulton, which was adopted.

### INTRODUCTIONS OF GUESTS

Senator Bernksoetter introduced to the Senate, Claire Lewis, Jefferson City.

Senator Crawford introduced to the Senate, Nathan Kennedy, Floyd Miller, Lizzie Miller and Ethan Smith, Buffalo; and Grace Erickson, Bolivar.

Senator Luetkemeyer introduced to the Senate, speech and debate students from Central High School, St. Joseph.

On behalf of Senator Curls, Senator Rizzo introduced to the Senate, teachers Ryan Walker, Ebony Rose and Charles Wood; and thirty-one students from Southeast High School, Kansas City.

The President introduced to the Senate, Paige Stanish, Honolulu, Hawaii.

Senator Schupp introduced to the Senate, Violet Marcel, and her son, Henry Marcel Hotfelder, England; and Henry was made an honorary page.

Senator Williams introduced to the Senate, Derek Winters and Jerry Kiske, St. Louis.

On motion of Senator Rowden, the Senate adjourned until 2:00 p.m., Wednesday, April 10, 2019.

### SENATE CALENDAR

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FORTY-NINTH DAY—WEDNESDAY, APRIL 10, 2019

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### FORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SS for SB 218-Hoskins (In Fiscal Oversight)  
SCS for SB 330-Brown

SS for SCS for SJRs 14 & 9-Luetkemeyer

#### SENATE BILLS FOR PERFECTION

1. SB 514-Sater
2. SB 430-Libla
3. SB 186-Hegeman
4. SB 302-Wallingford

5. SB 347-Burlison
6. SB 439-Brown
7. SB 303-Riddle, with SCS
8. SB 376-Riddle

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|-------------------------------|----------------------------------|
| 9. SB 82-Cunningham, with SCS | 17. SB 437-Hoskins               |
| 10. SB 161-Cunningham         | 18. SB 286-Hough                 |
| 11. SB 144-Burlison, with SCS | 19. SB 325-Crawford, with SCS    |
| 12. SJR 20-Koenig, with SCS   | 20. SBs 8 & 74-Emery, with SCS   |
| 13. SB 208-Wallingford        | 21. SB 386-O'Laughlin, with SCS  |
| 14. SB 189-Crawford, with SCS | 22. SB 272-Emery, with SCS       |
| 15. SB 385-Bernskoetter       | 23. SB 265-Luetkemeyer, with SCS |
| 16. SB 409-Wieland, et al     |                                  |

#### HOUSE BILLS ON THIRD READING

HB 188-Rehder (Luetkemeyer) (In  
Fiscal Oversight)

HB 612-Coleman (97) (Crawford)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

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| SB 1-Curls and Nasheed, with SCS                                       | SB 52-Eigel, with SCS                                    |
| SB 3-Curls   | SB 56-Cierpiot, with SCS, SS for SCS &<br>SA 1 (pending) |
| SB 4-Sater   | SB 57-Cierpiot   |
| SB 5-Sater, et al, with SCS  | SB 60-Arthur, with SCS                                   |
| SB 10-Cunningham, with SCS &<br>SA 1 (pending)                         | SB 62-Burlison, with SCS                                 |
| SB 11-Cunningham   | SB 65-White, with SS (pending)                           |
| SB 14-Wallingford  | SB 69-Hough  |
| SB 16-Romine, with SCS, SS for SCS,<br>SA 3 & point of order (pending) | SBs 70 & 128-Hough, with SCS                             |
| SB 19-Libla, with SA 1 (pending)                                       | SB 76-Sater, with SCS (pending)                          |
| SB 29-Hegeman, with SCS  | SB 78-Sater  |
| SB 31-Wieland  | SB 88-Libla  |
| SB 34-Riddle, with SCS   | SB 97-Hegeman, with SCS                                  |
| SB 37-Onder and Nasheed, with SCS                                      | SB 100-Riddle  |
| SB 39-Onder  | SB 118-Cierpiot, with SCS                                |
| SB 44-Hoskins, with SCS &<br>SS#3 for SCS (pending)                    | SB 132-Emery, with SCS                                   |
| SBs 46 & 50-Koenig, with SCS,<br>SS for SCS & SA 6 (pending)           | SB 141-Koenig  |
| SB 49-Rowden, with SCS   | SB 150-Koenig, with SCS                                  |
|  | SBs 153 & 117-Sifton, with SCS                           |
|  | SB 154-Luetkemeyer, with SS &<br>SA 2 (pending)          |

SB 155-Luetkemeyer	SB 298-White, with SCS
SB 160-Koenig, with SCS, SS for SCS & SA 2 (pending)	SB 300-Eigel
SB 168-Wallingford, with SCS	SB 312-Eigel
SB 184-Wallingford, with SCS	SB 316-Burlison
SB 201-Romine	SB 318-Burlison
SB 203-Nasheed, with SCS	SB 328-Burlison, with SCS
SB 205-Arthur, with SCS	SB 332-Brown
SB 210-May	SB 333-Rizzo
SB 211-Wallingford	SB 336-Schupp
SB 222-Hough	SB 343-Eigel, with SCS
SB 224-Luetkemeyer, with SS#2 (pending)	SB 344-Eigel, with SCS
SB 225-Curls	SB 349-O'Laughlin, with SCS
SB 234-White	SB 350-O'Laughlin
SB 252-Wieland, with SCS	SB 354-Cierpiot, with SCS
SB 255-Bernskoetter	SB 363-Riddle, with SCS
SB 259-Romine	SB 391-Bernskoetter
SB 276-Rowden, with SCS	SB 412-Holsman
SB 278-Wallingford, with SCS	SB 414-Wieland
SBs 279, 139 & 345-Onder and Emery, with SCS	SB 426-Williams
SB 282-Brown	SB 431-Schatz, with SCS
SB 292-Eigel, with SCS & SS#2 for SCS (pending)	SB 465-Burlison, with SCS
SB 293-Hough, with SCS	SJR 1-Sater and Onder
SB 296-Cierpiot, with SCS	SJR 13-Holsman, with SCS, SS for SCS & SA 1 (pending)
	SJR 18-Cunningham

### CONSENT CALENDAR

#### House Bills

Reported 4/4

HB 182-Shull (Crawford)

### 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

SCR 14-Schatz, with SS (pending)

SCR 15-Burlison

SCR 19-Eigel

To be Referred

SCR 26-Bernskoetter

HCR 6-Chipman

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