

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 30, 2019

The Senate met pursuant to adjournment.

Senator Hough assumed the Chair.

Senator Wallingford offered the following prayer:

“Bless the Lord, O my soul, and do not forget all His benefits” (Psalms 103:2)

Lord, You give to us what we need, strength to do our work, wisdom to lead and courage to face the day’s challenges. But we also ask that You grant us the favor to lead us down the paths that we need to walk and work to reach the goal You have set 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
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 Rowden offered Senate Resolution No. 797, regarding Consolidated Public Water Supply District 1 of Boone County, which was adopted.

Senator Holsman offered Senate Resolution No. 798, regarding Guadalupe Centers, Kansas City, which

was adopted.

Senator White offered Senate Resolution No. 799, regarding Nathaniel James Hardy, Webb City, which was adopted.

Senator Brown offered Senate Resolution No. 800, regarding Linda Daniels, St. Robert, which was adopted.

Senator Brown offered Senate Resolution No. 801, regarding Beulah “Bea” Roggy, Camdenton, which was adopted.

Senator Hough offered Senate Resolution No. 802, regarding Gerald Neville, Springfield, which was adopted.

Senator Hough offered Senate Resolution No. 803, regarding Naseem Saquer, which was adopted.

Senator Eigel offered Senate Resolution No. 804, regarding Nicolette Kolenc, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 805, regarding Anne Katherine Meister, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 806, regarding Alyssa Miller, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 807, regarding Josephine Phillips, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 808, regarding Josette Prince, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 809, regarding Jillian Marie Rodgers, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 810, regarding Virginia Weisar, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 811, regarding Sarah Wyble, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 812, regarding Kellie Marshall, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 813, regarding Emily Albers, St. Peters, which was adopted.

Senator Sater offered Senate Resolution No. 814, regarding Dwayne and Janice Bearbower, Anderson, 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 576**, entitled:

An Act to repeal section 173.1550, RSMo, and to enact in lieu thereof four new sections relating to campus free expression.

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 868**, entitled:

An Act to repeal sections 476.001 and 600.042, RSMo, and to enact in lieu thereof two new sections relating to duties of the director of the state public defender system.

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 1002**, entitled:

An Act to repeal section 307.015, RSMo, and to enact in lieu thereof one new section relating to mud flap requirements, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 2**. Representatives: Smith, Wood, Black (7), Kendrick, Burnett.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 3**. Representatives: Smith, Wood, Black (7), Kendrick, Burnett.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 4**. Representatives: Smith, Wood, Walsh, Kendrick, Razer.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 5**. Representatives: Smith, Wood, Trent, Kendrick, Lavender.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**. Representatives: Smith, Wood, Kelly (141), Kendrick, Pierson Jr.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 7**. Representatives: Smith, Wood, Kelly (141), Kendrick, Washington.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Smith, Wood, Walsh, Kendrick, Merideth.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Smith, Wood, Walsh, Kendrick, Merideth.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 10**. Representatives: Smith, Wood, Patterson, Lavender, Walker.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 11**. Representatives: Smith, Wood, Patterson, Lavender, Walker.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 12**. Representatives: Smith, Wood, Trent, Kendrick, Merideth.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 13**. Representatives: Smith, Wood, Trent, Kendrick, Razer.

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 **SB 133**, entitled:

An Act to repeal sections 89.020, 195.740, 195.743, 195.746, 195.749, 195.752, 195.755, 195.756,

195.758, 195.764, 195.767, 195.770, 264.061, 266.031, 266.165, 266.190, 280.005, 280.010, 280.020, 280.030, 280.035, 280.037, 280.038, 280.040, 280.050, 280.060, 280.070, 280.080, 280.090, 280.095, 280.100, 280.110, 280.120, 280.130, 280.140, 281.035, 281.037, 281.038, 281.050, and 281.260, RSMo, and to enact in lieu thereof twenty-five new sections relating to agriculture, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

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 **SB 53**, entitled:

An Act to repeal sections 54.140 and 64.805, RSMo, and to enact in lieu thereof two new sections relating to duties of county officials, with a penalty provision.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 53, Page 1, In the Title, Line 3, by deleting the words “duties of county officials” and inserting in lieu thereof the words “political subdivisions”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 53, Page 1, Section 54.140, Lines 7 and 12, by deleting the word “**reasonably**” and inserting in lieu thereof the word “**financially**”; and

Further amend said bill, page, and section, Line 7, by deleting the word “**reviewing**” and inserting in lieu thereof the word “**processing**”; and

Further amend said bill, page, and section, Line 11, by deleting the word “, **review of**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 53, Page 3, Line 48, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 64.805, Line 13, by inserting after all of said section and line the following:

“479.080. 1. In the prosecution of violations of municipal ordinances before a municipal judge, all fines and costs shall be paid to and deposited not less frequently than monthly into the municipal treasury.

2. In the prosecution of violations of municipal ordinances before an associate circuit judge, all fines shall be [paid to and deposited not less frequently than monthly into the municipal treasury and] **sent to the director of the department of revenue and shall be distributed annually to the schools of the county**

in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. All court costs shall be accounted for and remitted to the state treasury in the same manner as provided by law for costs in misdemeanor cases.

3. The supreme court by administrative rule may provide for uniform procedure, and reporting forms for the collection and transmittal of fines and costs. Until modified or otherwise provided by such administrative rule, the municipal judge, or associate circuit judge hearing and determining violations of municipal ordinances, shall cause the clerk serving his division, within the first ten days of every month, to make out a list of all the cases heard or tried before the judge during the preceding month, giving in each case the name of the defendant, the fine imposed, if any, the amount of costs, the names of defendants committed and the cases in which there was an application for trial de novo, respectively. Such clerk or the judge shall verify such lists and statements by affidavit, and file the same forthwith with the clerk of the municipality, who shall lay the same before the governing body or the municipality at its first session thereafter. The official collecting fines shall, within the ten days aforesaid, pay to the municipal treasurer the full amount of all fines collected by him during the preceding month if not previously paid to the municipal treasurer.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 53, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“8.007. 1. The commission shall:

(1) Exercise general supervision of the administration of sections 8.001 to 8.007, **including employing staff and retaining such contract services as necessary for performance of the duties and purposes of these sections;**

(2) Evaluate and approve capitol studies and improvement, expansion, renovation, and restoration projects including, but not limited to, the “21st-Century State Capitol Restoration Project”, which includes, but is not limited to, the development and implementation of a comprehensive master plan for the restoration, protection, risk management, and continuing preservation of the capitol building, grounds, and any annex areas. For purposes of this section, “annex areas” shall mean the building currently occupied by the Missouri department of transportation located at 105 West Capitol Avenue in Jefferson City, if used to house members of the general assembly or legislative support staff, or any new building constructed for such purposes;

(3) Exercise ongoing supervision and coordination of the capitol building, grounds, and any annex areas;

(4) Evaluate and recommend courses of action on the restoration and preservation of the capitol, the preservation of historical significance of the capitol and the history of the capitol;

(5) Evaluate and recommend courses of action to ensure accessibility to the capitol for physically disabled persons;

(6) Advise, consult, and cooperate with the office of administration, the archives division of the office of the secretary of state, the historic preservation program within the department of natural resources, the division of tourism within the department of economic development and the historical society of Missouri

in furtherance of the purposes of sections 8.001 to 8.007;

(7) Be authorized to cooperate or collaborate with other state agencies and not-for-profit organizations to publish books and manuals concerning the history of the capitol, its improvement or restoration;

(8) On or before October first of each year, submit to the budget director and the general assembly estimates of the requirements for appropriations for the capitol building, grounds, and any annex areas for the year commencing on the following first day of July;

(9) Encourage, participate in, or conduct studies, investigations, and research and demonstrations relating to improvement and restoration of the state capitol it may deem advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007;

(10) Hold hearings, issue notices of hearings, and take testimony as the commission deems necessary; and

(11) Initiate planning efforts, subject to the appropriation of funds, for a centennial celebration of the laying of the capstone of the Missouri state capitol.

2. The "State Capitol Commission Fund" is hereby created in the state treasury. Any moneys received from sources other than appropriation by the general assembly, including from private sources, gifts, donations and grants, shall be credited to the state capitol commission fund and shall be appropriated by the general assembly.

3. The provisions of section 33.080 to the contrary notwithstanding, moneys in the second capitol commission fund shall not be transferred and placed to the credit of the general revenue fund. Moneys in the state capitol commission fund shall not be appropriated for any purpose other than those designated by the commission.

4. The commission is authorized to accept all gifts, bequests and donations from any source whatsoever. The commission may also apply for and receive grants consistent with the purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used or expended upon appropriation in accordance with their terms or stipulations, and the gifts, bequests, donations or grants may be used or expended for the preservation, improvement, expansion, renovation, restoration and improved accessibility and for promoting the historical significance of the capitol.

5. The commission may copyright or obtain a trademark for any photograph, written work, art object, or any product created of the capitol or capitol grounds. The commission may grant access or use of any such works to other organizations or individuals for a fee, at its sole discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the capitol commission fund in a manner similar to funds the commission receives as gifts, donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits, decorations, or other beautifications or adornments to the capitol or its grounds.

8.111. 1. There is hereby established the "Capitol Police Board" which shall be composed of five members, as follows:

(1) The governor, or his or her designee;

(2) The speaker of the house of representatives, or his or her designee;

(3) The president pro tempore of the senate, or his or her designee;

- (4) The chief justice of the Missouri supreme court, or his or her designee; and
- (5) The chair of the state capitol commission.

The lieutenant governor, the chief clerk of the house of representatives, and the secretary of the senate, or their designees, shall serve as *ex officio* members of the board but shall not have the power to vote. At the first meeting of the board and at yearly intervals thereafter, the members shall select from amongst themselves a chair, a vice chair and a secretary.

2. The board shall be assigned to the house of representatives with supervision by the house of representatives only for budgeting and reporting. Such supervision shall not extend to matters relating to policies, regulative functions, or appeals from activities of the board, and no member or employee of the house of representatives shall participate in or interfere with the activities of the board in any manner not specifically provided by law, or at the direction of the board, and no member or employee of the house of representatives shall interfere in any manner with any budget request of or with respect to the withholding of any moneys appropriated to the board by the general assembly.

3. The board shall provide for public safety at the seat of government, and for the safety and security of elected officials, government employees, and their guests as needed outside the seat of government. The board shall hire police officers as described in section 8.177.

4. The board shall hire a chief of police who shall be certified under chapter 590 and serve subject to the supervision, and at the pleasure, of the board. The chief of police shall:

(1) Oversee the administrative operations of the capitol police and perform such other duties as may be delegated or assigned to the chief by law or by the board;

(2) Retain contract services as he or she deems necessary, within the limits authorized by appropriations by the general assembly;

(3) Appoint a security detail, both inside and outside the seat of government, for the lieutenant governor, members of the general assembly, and any other person when the chief, speaker of the house of representatives, and the president pro tempore deem such security detail necessary.

5. The board may promulgate rules relating to the provisions of sections 8.111 to 8.178. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

8.170. The [director] Missouri capitol police shall prosecute, in the name of the state, for all trespasses and injuries of every kind done to the public buildings and other property, and shall attend to the suits relative to the same. The attorney general shall give counsel, or prosecute suits, when required by the [director] chief.

8.172. The [commissioner of administration] capitol police board shall make rules and regulations for

the regulation of traffic and parking at all parking space upon the capitol grounds and upon the grounds of other state buildings located within the capital city. The regulations shall be enforced by the Missouri capitol police.

8.177. 1. The [director of the department of public safety] **capitol police board** shall employ Missouri capitol police officers for public safety at the seat of state government. Each Missouri capitol police officer, upon appointment, shall take and subscribe an oath of office to support the constitution and laws of the United States and the state of Missouri and shall receive a certificate of appointment, a copy of which shall be filed with the secretary of state, granting such police officers all the same powers of arrest held by other police officers to maintain order and preserve the peace in all state-owned or leased buildings, and the grounds thereof, at the seat of government and such buildings and grounds within the county which contains the seat of government.

2. The [director of the department of public safety] **capitol police board** shall appoint a sufficient number of Missouri capitol police officers, with available appropriations, as appropriated specifically for the purpose designated in this subsection, so that the capitol grounds may be patrolled at all times, and that traffic and parking upon the capitol grounds and the grounds of other state buildings owned or leased within the capital city and the county which contains the seat of government may be properly controlled. Missouri capitol police officers may make arrests for the violation of parking and traffic regulations promulgated by the office of administration.

3. Missouri capitol police officers shall be authorized to arrest a person anywhere in the county that contains the state seat of government, when there is probable cause to believe the person committed a crime within capitol police jurisdiction or when a person commits a crime in the presence of an on-duty capitol police officer.

8.178. Any person who violates sections 8.172 to [8.174, or section] 8.177, or any of the traffic or parking regulations of the [commissioner] **capitol police board** shall be punished as follows:

(1) Fines for traffic violations shall not, except as provided by section 301.143, exceed five dollars for overparking, fifteen dollars for double parking and fifty dollars for speeding[.]; and

(2) The circuit court of Cole County has authority to enforce [this law] **the traffic or parking regulations of the capitol police board.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 53, Page 2, Section 64.805, Line 13, by inserting after all of said section and line the following:

“67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen

thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three

thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt; [or]

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; **or**

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility [which] **that** rents slips to recreational boats [which] **that** are used by transients for sleeping, which shall be at least two percent[,] but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

94.842. 1. The governing body of any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be more than seven and one-half percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. Such tax shall be stated separately from all other charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the (city) levy a tax of percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for capital investments to increase tourism?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

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 **SB 134**, entitled:

An Act to repeal sections 260.240 and 260.273, RSMo, and to enact in lieu thereof two new sections relating to solid waste.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON SECOND READING

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

HCS for **HJR**s **48, 46 & 47**—Rules, Joint Rules, Resolutions and Ethics.

HB 600—Appropriations.

HCS for **HB 1135**—Seniors, Families and Children.

HCS for **HB 1137**—Small Business and Industry.

HB 713—Transportation, Infrastructure and Public Safety.

HCS for **HB 842**—Economic Development.

HCS for **HB 1162**—Economic Development.

HB 681—Agriculture, Food Production and Outdoor Resources.

REFERRALS

President Pro Tem Schatz referred **HB 1061** and **HB 470**, with **SCS**, to the Committee on Fiscal Oversight.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **HB 186**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 466**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for

HB 229, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 646**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 161** and **401**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SJR 25**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 140**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 321**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SJR 21**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 67**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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 was referred **SS** for **SB 391**, 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.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 26**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 24**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Hough assumed the Chair.

PRIVILEGED MOTIONS

Senator Crawford moved that the Senate refuse to concur in **SB 53**, with **HCS**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 225**, with **SCS**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to workforce incentive grants.

Was taken up by Senator Romine.

SCS for **HCS** for **HB 225**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 225

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to workforce incentive grants.

Was taken up.

Senator Romine moved that **SCS** for **HCS** for **HB 225** be adopted.

Senator Koenig offered **SS** for **SCS** for **HCS** for **HB 225**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 225

An Act to repeal sections 160.410, 160.415, 162.081, 163.018, 167.125, 167.131, 167.151, and 167.241, RSMo, and to enact in lieu thereof twenty-five new sections relating to alternative education options for students, with penalty provisions and an emergency clause for certain sections.

Senator Koenig moved that **SS** for **SCS** for **HCS** for **HB 225** be adopted.

President Kehoe assumed the Chair.

Senator Crawford assumed the Chair.

Senator Onder requested a roll call vote be taken on the adoption of **SS** for **SCS** for **HCS** for **HB 225**. He was joined in his request by Senators Burlison, Eigel, Emery and Hoskins.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 225, Page 64, Section 173.2553, Line 26, by inserting after the word “child” the following: “**or due to the spouse or child of a member of any branch of the Armed Forces of the United States who is required to relocate because of the member’s service**”.

Senator Hoskins moved that the above amendment be adopted.

At the request of Senator Romine, **HCS** for **HB 225**, with **SCS**, **SS** for **SCS** and **SA 1** (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 **SS** for **SCS** for **SB 30**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 197**.

Bill ordered enrolled.

RESOLUTIONS

Senator Hoskins offered Senate Resolution No. 815, regarding Marvin Holcer, Chillicothe, which was adopted.

Senator Hoskins offered Senate Resolution No. 816, regarding Lucille Staton, Carrollton, which was adopted.

Senator Hoskins offered Senate Resolution No. 817, regarding Robert Bryant, Carrollton, which was adopted.

Senator Schatz offered Senate Resolution No. 818, regarding Sandy Rich, Ballwin, which was adopted.

Senator Onder offered Senate Resolution No. 819, regarding Emily Kurtz, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 820, regarding Joshua Brosman, which was adopted.

Senator Onder offered Senate Resolution No. 821, regarding Rachel Reisner, which was adopted.

Senator Riddle offered Senate Resolution No. 822, regarding Jack and Joyce Davis, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 823, regarding Shelley Brubaker, Foristell, which was adopted.

Senator Riddle offered Senate Resolution No. 824, regarding Mildred Groeper, Wright City, which was adopted.

INTRODUCTION OF GUESTS

Senator Crawford introduced to the Senate, her husband, John, Buffalo; Don Ball, Phillipsburg; Boyd Householder, Humansville; Shane Hughes, Strafford; Keith Carnahan, St. Robert; Bob Reagan, Summersville; Lee Goff and Andrew Coblenz, Moberly; and Nolan Wynn, Holts Summit.

Senator Williams introduced to the Senate, Sam Gladney, Olivette.

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

SENATE CALENDAR

 SIXTIETH DAY—WEDNESDAY, MAY 1, 2019

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 576
 HB 868-Mitten

HB 1002-Busick

THIRD READING OF SENATE BILLS

SCS for SB 465-Burlison (In Fiscal Oversight)
 SB 514-Sater (In Fiscal Oversight)
 SB 255-Bernskoetter (In Fiscal Oversight)
 SS for SCS for SB 37-Onder and Nasheed
 (In Fiscal Oversight)

SCS for SB 1-Curls and Nasheed
 SS for SB 391-Bernskoetter

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|----------------------------------|
| 1. SB 430-Libla | 16. SB 437-Hoskins |
| 2. SB 186-Hegeman | 17. SB 286-Hough |
| 3. SB 302-Wallingford | 18. SB 325-Crawford, with SCS |
| 4. SB 347-Burlison | 19. SBs 8 & 74-Emery, with SCS |
| 5. SB 439-Brown | 20. SB 386-O'Laughlin, with SCS |
| 6. SB 303-Riddle, with SCS | 21. SB 272-Emery, with SCS |
| 7. SB 376-Riddle | 22. SB 265-Luetkemeyer, with SCS |
| 8. SB 82-Cunningham, with SCS | 23. SB 135-Sifton, with SCS |
| 9. SB 161-Cunningham | 24. SB 342-Curls and Nasheed |
| 10. SB 144-Burlison, with SCS | 25. SB 424-Luetkemeyer |
| 11. SJR 20-Koenig, with SCS | 26. SB 367-Burlison |
| 12. SB 208-Wallingford | 27. SB 22-Nasheed, with SCS |
| 13. SB 189-Crawford, with SCS | 28. SJR 25-Libla, with SCS |
| 14. SB 385-Bernskoetter | 29. SB 140-Koenig, with SCS |
| 15. SB 409-Wieland, et al | 30. SJR 21-May |

HOUSE BILLS ON THIRD READING

1. HCS for HB 255 (Cierpiot)
2. HCS for HB 469 (Wallingford)
3. HCS for HB 677 (Cierpiot)
4. HB 260-Taylor, with SCS (Bernskoetter)
5. HCS for HB 547, with SCS (Bernskoetter)
6. HCS for HB 169, with SCS (Romine)
7. HB 219-Wood (Sater)
8. HB 831-Sharpe (Brown)
9. HCS for HB 694 (Riddle)
10. HCS#2 for HB 499 (Schatz)
11. HCS for HB 192, with SCS (Emery)
12. HB 485-Dogan, with SCS (Emery)
(In Fiscal Oversight)
13. HCS for HB 564, with SCS (Koenig)
14. HCS for HB 678, with SCS (Williams)
15. HCS for HB 399, with SCS (Hoskins)
16. HB 126-Schroer, with SCS (Koenig)
17. HB 138-Kidd (Wallingford)
18. HB 332-Lynch, with SCS (Wallingford)
19. HCS for HBs 243 & 544, with SCS (Arthur)
20. HCS for HB 220, with SCS (O'Laughlin)
21. HB 821-Solon (Luetkemeyer)
22. HB 565-Morse, with SCS (Wallingford)
23. HCS for HB 447, with SCS (Riddle)
24. HB 113-Smith, with SCS (Emery)
25. HCS for HB 604, with SCS (Hoskins)
(In Fiscal Oversight)
26. HB 214-Trent (Hough)
27. HCS for HB 1088 (Hoskins) (In Fiscal Oversight)
28. HB 355-Plocher, with SCS (Wallingford)
29. HCS for HB 160, with SCS (White)
(In Fiscal Oversight)
30. HB 584-Knight, with SCS (Wallingford)
(In Fiscal Oversight)
31. HB 599-Bondon, with SCS (Cunningham)
(In Fiscal Oversight)
32. HB 1029-Bondon (Brown)
(In Fiscal Oversight)
33. HB 257-Stephens (Sater)
34. HB 563-Wiemann (Wallingford)
(In Fiscal Oversight)
35. HCS for HB 266, with SCS (Hoskins)
36. HCS for HB 959, with SCS (Cierpiot)
37. HCS for HB 333, with SCS (Crawford)
(In Fiscal Oversight)
38. HB 461-Pfautsch (Brown)
(In Fiscal Oversight)
39. HCS for HB 824 (Hoskins)
(In Fiscal Oversight)
40. HB 587-Rone (Crawford)
(In Fiscal Oversight)
41. HCS for HB 346 (Wallingford)
(In Fiscal Oversight)
42. HB 1061-Patterson (Hoskins)
(In Fiscal Oversight)
43. HB 470-Grier, with SCS (O'Laughlin)
(In Fiscal Oversight)
44. HB 186-Trent, with SCS
45. HCS for HB 466, with SCS (Riddle)
46. HCS for HB 229, with SCS
47. HB 646-Rowland
48. HCS for HBs 161 & 401, with SCS
(Cunningham)
49. HB 321-Solon (Luetkemeyer)
50. HCS for HB 67, with SCS (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Curls
SB 4-Sater

SB 5-Sater, et al, with SCS
SB 10-Cunningham, with SCS & SA 1 (pending)

SB 14-Wallingford
 SB 16-Romine, with SCS, SS for SCS, SA 3
 & point of order (pending)
 SB 19-Libla, with SA 1 (pending)
 SB 31-Wieland
 SB 39-Onder
 SB 44-Hoskins, with SCS & SS#3 for SCS
 (pending)
 SBs 46 & 50-Koenig, with SCS, SS for SCS
 & SA 6 (pending)
 SB 49-Rowden, with SCS
 SB 52-Eigel, with SCS
 SB 56-Cierpiot, with SCS, SS for SCS &
 SA 1 (pending)
 SB 57-Cierpiot
 SB 62-Burlison, with SCS
 SB 65-White, with SS (pending)
 SB 69-Hough
 SB 76-Sater, with SCS (pending)
 SB 78-Sater
 SB 97-Hegeman, with SCS
 SB 100-Riddle, with SS (pending)
 SB 118-Cierpiot, with SCS
 SB 132-Emery, with SCS
 SB 141-Koenig
 SB 150-Koenig, with SCS
 SBs 153 & 117-Sifton, with SCS
 SB 154-Luetkemeyer, with SS & SA 2
 (pending)
 SB 155-Luetkemeyer
 SB 160-Koenig, with SCS, SS for SCS &
 SA 2 (pending)
 SB 168-Wallingford, with SCS
 SB 201-Romine
 SB 205-Arthur, with SCS
 SB 211-Wallingford
 SB 222-Hough
 SB 224-Luetkemeyer, with SS#2 (pending)
 SB 225-Curls
 SB 234-White
 SB 252-Wieland, with SCS
 SB 259-Romine, with SS & SA 3 (pending)
 SB 276-Rowden, with SCS
 SB 278-Wallingford, with SCS
 SBs 279, 139 & 345-Onder and Emery,
 with SCS
 SB 292-Eigel, with SCS & SS#2 for SCS
 (pending)
 SB 293-Hough, with SCS
 SB 296-Cierpiot, with SCS
 SB 298-White, with SCS
 SB 300-Eigel
 SB 312-Eigel
 SB 316-Burlison
 SB 318-Burlison
 SB 328-Burlison, with SCS
 SB 332-Brown
 SB 336-Schupp
 SB 343-Eigel, with SCS
 SB 344-Eigel, with SCS
 SB 349-O'Laughlin, with SCS
 SB 350-O'Laughlin
 SB 354-Cierpiot, with SCS
 SB 412-Holsman
 SB 426-Williams
 SB 431-Schatz, with SCS
 SJR 1-Sater and Onder, with SS#2 & SA 1
 (pending)
 SJR 13-Holsman, with SCS, SS for SCS &
 SA 1 (pending)
 SJR 18-Cunningham

HOUSE BILLS ON THIRD READING

HB 188-Rehder (Luetkemeyer)

HCS for HB 225, with SCS, SS for SCS &
 SA 1 (pending) (Romine)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 133-Cunningham, with HCS

SB 134-Wallingford, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS (Hegeman)

HCS for HB 3, with SCS (Hegeman)

HCS for HB 4, with SCS (Hegeman)

HCS for HB 5, with SCS (Hegeman)

HCS for HB 6, with SCS (Hegeman)

HCS for HB 7, with SS for SCS (Hegeman)

HCS for HB 8, with SCS (Hegeman)

HCS for HB 9, with SCS (Hegeman)

HCS for HB 10, with SS for SCS (Hegeman)

HCS for HB 11, with SCS (Hegeman)

HCS for HB 12, with SCS (Hegeman)

HCS for HB 13, with SCS (Hegeman)

Requests to Recede or Grant Conference

SB 53-Crawford, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 182-Cierpiot, et al, with HCS, as amended
(Senate requests House recede or
grant conference)

RESOLUTIONS

SR 20-Holsman

SR 731-Hoskins

Reported from Committee

SCR 8-Holsman

SCR 13-Emery

SCR 15-Burlison

SCR 19-Eigel

SCR 21-May

SCR 22-Holsman

SCR 23-Luetkemeyer

SCR 24-Hegeman and Luetkemeyer

SCR 26-Bernskoetter

HCS for HCR 16 (Hoskins)

HCR 18-Spencer (Eigel)

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