

# JOURNAL OF THE HOUSE

Second Regular Session, 100th GENERAL ASSEMBLY

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EIGHTH DAY, WEDNESDAY, JANUARY 22, 2020

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Representative Rodger Reedy.

Our most kind and gracious heavenly Father, thank You for this day and all Your many blessings.

Thank You for the honor and privilege that each of us have to serve the people of our great state in this legislative body.

Help us to always remember why we are here: to represent the citizens of our districts. Help us to remember those that are going through difficult times and lift them up in prayer. Be with us today as we hear from the Judiciary, and I pray we will work together for the good of everyone.

Help us to always be grateful for everything You provide and to be kind and respectful as we work together.

In Thy name I pray, amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 148

Allred	Anderson	Appelbaum	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Chipman
Christofanelli	Clemens	Coleman 32	Coleman 97	Cupps
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner
Fishel	Fitzwater	Francis	Gannon	Gray
Green	Gregory	Grier	Griesheimer	Griffith
Gunby	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Lavender	Lovasco	Love	Lynch
Mackey	Mayhew	McCreery	McDaniel	McGaugh
McGill	Merideth	Messenger	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	O'Donnell	Patterson	Person	Pfautsch

Pierson Jr.	Pietzman	Pike	Plocher	Pogue
Polliitt 52	Pollock 123	Porter	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roberts 77	Roden	Rogers
Rone	Ross	Runions	Ruth	Sauls
Schnelting	Schroer	Sharp 36	Sharpe 4	Shaul 113
Shawan	Shields	Shull 16	Smith	Solon
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Veit	Vescovo	Walsh	Wiemann	Wilson
Wright	Young	Mr. Speaker		

NOES: 002

Rowland                      Sain

PRESENT: 001

Windham

ABSENT WITH LEAVE: 011

Aldridge	Andrews	Carter	Chappelle-Nadal	Moon
Murphy	Price	Proudie	Simmons	Washington
Wood				

VACANCIES: 001

## HOUSE RESOLUTIONS

Representative DeGroot offered House Resolution No. 4659.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 76**, introduced by Representative Moon, relating to the State Powers Amendment.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 104**, introduced by Representative Gray, relating to property tax.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2238**, introduced by Representative Merideth, relating to taxation, with penalty provisions and a delayed effective date for certain sections.

**HB 2239**, introduced by Representative Moon, relating to corporate income tax.

**HB 2240**, introduced by Representative Roden, relating to water supply districts.

**HB 2241**, introduced by Representative Gregory, relating to dogs.

**HB 2242**, introduced by Representative Trent, relating to joint and several liability.

**HB 2243**, introduced by Representative Trent, relating to civil actions.

**HB 2244**, introduced by Representative Hicks, relating to dogs.

**HB 2245**, introduced by Representative Bailey, relating to licensed liquor retailers, with penalty provisions.

**HB 2246**, introduced by Representative Bailey, relating to meetings of the board of public buildings.

**HB 2247**, introduced by Representative Burnett, relating to school counseling week.

**HB 2248**, introduced by Representative Miller, relating to solid waste management districts.

**HB 2249**, introduced by Representative Basye, relating to a meritorious service medal special license plate.

**HB 2250**, introduced by Representative Pollock (123), relating to tobacco products.

**HB 2251**, introduced by Representative Neely, relating to fertility preservation procedures for insureds with a cancer diagnosis.

**HB 2252**, introduced by Representative Neely, relating to assistant physicians.

**HB 2253**, introduced by Representative Windham, relating to taxation.

**HB 2254**, introduced by Representative Neely, relating to terms of imprisonment, with penalty provisions.

**HB 2255**, introduced by Representative Neely, relating to insurance coverage for medically necessary dental procedures.

**HB 2256**, introduced by Representative Grier, relating to the Interstate Medical Licensure Compact.

**HB 2257**, introduced by Representative Rowland, relating to credit unions.

**HB 2258**, introduced by Representative Chipman, relating to the addition of an associate circuit judge in a certain county.

**HB 2259**, introduced by Representative Chipman, relating to concealed carry permits.

**HB 2260**, introduced by Representative Patterson, relating to medication-assisted treatment.

**HB 2261**, introduced by Representative Patterson, relating to savings accounts for education expenses.

**HB 2262**, introduced by Representative Love, relating to livestock processing.

**HB 2263**, introduced by Representative Sauls, relating to the division of workers' compensation.

**HB 2264**, introduced by Representative Swan, relating to early childhood care and education programs.

**HB 2265**, introduced by Representative Moon, relating to taxation.

**HB 2266**, introduced by Representative Grier, relating to fire protection districts.

## **SECOND READING OF HOUSE BILLS**

The following House Bills were read the second time:

**HB 2223**, relating to limited liability companies.

**HB 2224**, relating to witness protection programs.

**HB 2225**, relating to landfill properties in certain counties.

**HB 2226**, relating to advanced practice registered nurses.

**HB 2227**, relating to the offense of unlawful possession of a handgun, with penalty provisions.

**HB 2228**, relating to state executions.

**HB 2229**, relating to railroad freight transport, with penalty provisions.

**HB 2230**, relating to covenants not to compete.

**HB 2231**, relating to a reporting requirement for lost or stolen firearms, with penalty provisions.

**HB 2232**, relating to property assessment.

**HB 2233**, relating to a tax deduction.

**HB 2234**, relating to the inhalation of substances.

**HB 2235**, relating to community improvement districts, with penalty provisions.

**HB 2236**, relating to special victims.

**HB 2237**, relating to dismemberment abortions.

### **MOTION**

Representative Vescovo moved that Rule 124 be suspended.

Which motion was adopted by the following vote:

AYES: 134

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Billington
Black 137	Black 7	Bland Manlove	Bromley	Brown 27
Brown 70	Burnett	Burns	Busick	Butz
Carpenter	Christofanelli	Clemens	Coleman 32	Coleman 97
Cupps	Deaton	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Falkner	Fishel	Fitzwater
Francis	Gregory	Grier	Griesheimer	Griffith
Gunby	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hill	Houx	Hovis
Hudson	Hurst	Ingle	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeier	Lavender
Lovasco	Love	Lynch	Mackey	Mayhew
McCreery	McGaugh	Merideth	Messenger	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Murphy	Neely	O'Donnell	Patterson	Person
Pfautsch	Pierson Jr.	Pietzman	Pike	Plocher
Pogue	Pollitt 52	Pollock 123	Porter	Proudie
Quade	Razer	Reedy	Rehder	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rogers	Rone	Ross	Runions	Ruth
Sain	Sauls	Schroer	Sharp 36	Shaul 113
Shawan	Shields	Shull 16	Simmons	Smith
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Veit	Vescovo	Walsh	Washington	Wiemann
Wilson	Wright	Young	Mr. Speaker	

NOES: 000

PRESENT: 001

Rowland

ABSENT WITH LEAVE: 027

Aldridge	Bailey	Beck	Bondon	Bosley
Carter	Chappelle-Nadal	Chipman	DeGroot	Eslinger
Evans	Gannon	Gray	Green	Hicks
Justus	McDaniel	McGill	Miller	Moon
Price	Toalson Reisch	Schnelting	Sharpe 4	Solon
Windham	Wood			

VACANCIES: 001

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted, and Lieutenant Governor Mike Kehoe, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 31

Arthur	Bernskoetter	Brown	Burlison	Cierpiot
Crawford	Cunningham	Eigel	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O'Laughlin	Onder	Rizzo
Romine	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland
Williams				

ABSENT WITH LEAVE: 1

Riddle

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 144

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bosley	Bromley	Brown 27	Brown 70
Burns	Busick	Butz	Carpenter	Christofanelli
Clemens	Coleman 32	Coleman 97	Cupps	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Eslinger	Evans	Falkner	Fishel	Fitzwater
Francis	Gannon	Gray	Green	Gregory
Grier	Griesheimer	Griffith	Gunby	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Houx	Hovis	Hudson	Hurst
Ingle	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Lavender	Lovasco
Love	Lynch	Mackey	Mayhew	McGaugh
McGill	Merideth	Messenger	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Murphy	Neely
O'Donnell	Patterson	Person	Pfautsch	Pierson Jr.
Pietzman	Pike	Plocher	Pogue	Pollitt 52

Pollock 123	Porter	Proudie	Quade	Razer
Reedy	Rehder	Remole	Richey	Riggs
Roberts 161	Roberts 77	Roden	Rogers	Rone
Ross	Ruth	Sain	Sauls	Schnelting
Schroer	Sharp 36	Sharpe 4	Shaul 113	Shawan
Shields	Shull 16	Simmons	Smith	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walsh	Washington	Wiemann	Wilson
Wood	Wright	Young	Mr. Speaker	

NOES: 000

PRESENT: 009

Aldridge	Burnett	Ellebracht	Hill	McCreery
Mitten	Price	Rowland	Runions	

ABSENT WITH LEAVE: 009

Carter	Chappelle-Nadal	Chipman	McDaniel	Miller
Moon	Toalson Reisch	Solon	Windham	

VACANCIES: 001

The Sergeant-at-Arms announced the approach of the Honorable George W. Draper III, Chief Justice of the Supreme Court of Missouri. Chief Justice Draper was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

### STATE OF THE JUDICIARY ADDRESS BY CHIEF JUSTICE GEORGE W. DRAPER III

Lieutenant Governor Kehoe, Secretary of State Ashcroft, Treasurer Fitzpatrick, Attorney General Schmitt, President Pro Tem Schatz, Speaker Haahr, members of this 100th General Assembly, the executive branch and the judicial branch. This opportunity signifies the ultimate cooperation between our branches, tasked with delivering good government and justice for the people we serve. On behalf of my colleagues and myself, we are honored to be here and welcome this time to inform you of the State of your Judiciary.

#### ***Bicentennial***

History is the tie that binds, and in that regard, let me begin by telling you a bit of my history. I am the great-grandson of a North Carolina slave girl and a union soldier on my mother's side, and a dark-skinned black man from Florida and third-generation German immigrant woman from New Jersey on my father's side. My parents met in college at Howard University in Washington, D.C. They came to Missouri in 1949 so my father could teach at Lincoln, the "separate but equal" law school this legislature had created a decade earlier for Negroes. Then, and as chief of the criminal division in the attorney general's office in the 1950s, he was prevented from dining in certain restaurants here in Jefferson City. This phenomenon was not surprising – after all, our state entered the union as a slave state, via the 1821 Missouri Compromise, and our courts were the genesis of the infamous Dred Scott decision that precipitated the civil war just 40 years later.

Since then, there has been great change, and this year, we celebrate the bicentennial of our Supreme Court. In fact, our Court has instituted a "bicentennial minute" into our conferences. I will share a few highlights with you today.

The first constitution, adopted in July 1820, created for us a three-member Supreme Court. By the way, so coveted was the position that, of the first three individuals Governor Alexander McNair sought to appoint to our now prominent bench, only one accepted – the other two said “no thank you.”

Much has changed over the past two centuries. Rather than “riding the circuit” and meeting in courthouses throughout the state, we now have a permanent home – our third, actually... the red-brick building across the street – for which our Court’s first female clerk is overseeing restoration efforts. Early tools of our trade included quill and ink. Yet now we stream our sessions live and publish our decisions online. We are now a seven-member Court. Of the four women who have served on our Court, three are currently on its bench, and I am only the *second* African-American.

Historically and significantly, we are honored to have with us the *first* African-American to serve on our Court – and a former member of this great legislative body – now a federal district judge in St. Louis, I give you The Honorable Ronnie White. Please stand and be recognized, your honor. Thank you.

Although women of color have yet to serve on our Supreme Court, since 1983 several have been members of your state’s judiciary. A former member of that group is here today. An accomplished lawyer in her own right, having once served as general counsel for our Missouri Department of Corrections, my best friend since our law school days at Howard – and my wife of 40 years – The Honorable Judy Preddy Draper. Please help me welcome her this morning. I am also really proud to introduce you to the third generation of lawyers from our family – or, as she reminds me, the most highly educated member of our family – the deputy chief of staff to the St. Louis County prosecutor, our daughter, Miss Chelsea Westin Draper.

### ***Circuit realignment***

To bring you another “bicentennial minute,” you might be interested to learn that Missouri’s first constitution established only four circuit courts, each serving four to eight counties! Now our 114 counties and the city of St. Louis are divided into 46 judicial circuits, with our constitution requiring at least one judge in every county.

In 2013, through section 478.073, RSMo, this legislative body authorized the Judicial Conference of Missouri to determine what alteration, if any, is necessary for the geographic boundaries of the state’s current judicial circuits. Prior circuit adjustments had been made solely by this legislature.

I do not have to tell the members of this body how incredibly diverse our state is, from vibrant cities to glistening waterways to the hills and valleys of our Ozarks, and how unique the personalities can be of all our cities, towns and villages. To ensure input reflecting the judicial and geographic diversity of our state, we established a 16-member judicial realignment task force.

They have worked diligently over the past two years, making reasonable compromises, to bring to you an honestly workable circuit court realignment plan. Please join me in recognizing this very hard-working group!

The process was arduous, governed by the factors in section 478.073 to determine optimal circuit configuration. Key in the study was mapping various factors to determine if disparities exist between circuits with regard to workload, delay and travel, and how changes in circuit boundaries would affect any observed disparities. Two factors provided strong guidance for circuit realignment – excessive judicial travel and the location of a primary business center across current circuit boundaries. In the report you received last week, the task force recommended moving two counties, resulting in the realignment of only four circuits.

The first recommendation is to move Carter County from the 37th circuit, which now has four counties, to the 36th circuit, which now has two counties. Realigning these circuits will allow Carter County residents to conduct court business where they conduct all their other business – across the current circuit boundary in Poplar Bluff.

The second recommendation is to move Benton County from the 30th circuit, which now has five counties, to the 27th circuit, which now has three counties. The major reason for this recommendation is driving distance, as it now takes one hour and 40 minutes to drive from Warsaw on one end of the circuit to Marshfield on the other. Under the realignment, the 30th circuit’s longest drive time would be 30 minutes faster. Less time behind a steering wheel means more time on the bench to serve our citizens.

This report is evidence that we are *all* here to serve the citizens of the great state of Missouri. In the words of Mark Twain:

I hate to hear people say this Judge will vote so and so, because he is a Democrat – and this one so and so because he is a Republican. It is shameful. The Judges have the Constitution for their guidance; they have no right to any politics save the politics of rigid right and justice when they are sitting in judgment upon the great matters that come before them.

As you examine the proposed realignment plan, please note that the Judicial Conference of Missouri – at its annual business meeting, held last fall pursuant to section 476.330, RSMo – endorsed and adopted the plan *without dissent*.

### ***Court technology***

As the example with the realignment report shows, some changes in our justice system have been facilitated by the legislature. But many are driven by the courts – and the public we serve.

Perhaps the most transformative of these changes has been technology. Missouri was among the very first states to institute court automation more than two decades ago, altering the way we do business and enhancing the public's ability to participate electronically in cases. They now can sign up for text or e-mail alerts about cases they are following; they can plead guilty and pay fines electronically; and soon we are piloting a new program to let people who have received a ticket file documents, message the prosecutor and submit a proposed sentencing agreement all from their mobile devices.

Let me take this opportunity to thank you for the \$2 million in funding you provided our court automation systems last session. The current court automation fee covers only a third of the funding needed to support our case management system, which runs on 25-year-old technology and is likely to reach the end of its meaningful life in as little as 18 months.

We are working hard to build a new system to replace it – we have completed state traffic, ordinance and associate criminal cases; nearly all St. Louis County municipal divisions plus those in 60 other local communities are using it; and we expect to have all criminal cases moved into the new system by the end of this fiscal year. But to continue developing the system at a viable pace, to protect against cyber threats, and to implement more user-friendly features for our citizens, we are asking you to consider an additional \$2.8 million in funding as you plan Missouri's fiscal 2021 budget.

### ***Treatment courts***

Technology is not the only change the public has demanded over the last 200 years. We currently face a period of change ... and criminal justice reform.

Missouri has been on the national forefront in the fight against addiction. When our courts were established 200 years ago, they were designed merely to resolve disputes. Our courts are now called upon to help resolve the most pressing problems facing our society.

This legislative body passed the first treatment court legislation in 1998. Twenty years later, as the state was grappling with the rising opioid epidemic, this body passed legislation standardizing the way our treatment courts operate and ensuring consistency for treatment court participants. You also authorized our treatment courts to accept participants from locations with no local treatment court, vastly expanding the reach of services. In 2019, you restored core funding and appropriated additional funding to expand the full spectrum of treatment court services.

For all of these actions: thank you! As a result of this collaboration among all three branches of government, Missouri now has more than 100 counties served by more than 120 treatment courts – adult, juvenile, family and DWI courts. And because of House Bill 547, which you also passed last year, we will have treatment courts established in every circuit in the state by August 2021.

The judiciary has also been hard at work to continue improving our treatment courts. During 2019, a task force met monthly to formulate rigorous standards ensuring ongoing consistency and effectiveness for our adult treatment courts. The state's treatment court coordinating commission is scheduled to vote on these standards at its quarterly meeting at the end of this month.

Together, we have built a strong foundation from which our state can continue to fight the substance abuse crisis on multiple fronts – alcohol, opioids and, as health officials have forecast, another rise in methamphetamine use.

Perhaps more significant to you will be the fact we now have 15 treatment courts serving the special needs of veterans in 40 counties. Because of legislation you enacted last session, section 478.001.7, RSMo, makes “it ... the public policy of this state to encourage and provide an alternative method for the disposal of cases for military veterans and current military personnel with substance use disorders, mental health disorders, or co-occurring disorders.” For some, these may be just words on paper. But for the 401 veterans who were helped last year through our treatment courts, it represents a win-win for all Missourians by helping those who have served our country regain their lives while reducing crime and improving public safety.

### ***Criminal justice reform***

Now, the use of treatment courts is not the only way to improve our criminal justice system. Last year, we made significant changes to our rules governing misdemeanor and felony criminal procedures, including pretrial release, as well as rules governing ordinance violations. Together, these reforms alleviate practices inconsistent with our state constitutional mandates to guarantee bail with sufficient sureties in all but capital offenses and to not require excessive bail or impose excessive fines.

In addition, this legislative body took actions last year that are likely to make a positive impact on the lives of our citizens for many years to come. As a body, you chose to expand the crimes for which an individual can seek an expungement. You also authorized prosecutors to enter into agreements with defendants to send certain criminal cases into diversion programs, allowing them to avoid prosecution altogether when appropriate.

While these reforms are important to improving our criminal justice system, one additional segment needs your attention. I spent a decade as a prosecutor in the city of St. Louis, serving as first assistant in my last year before becoming a trial judge. In most of my cases and those of the prosecutors I supervised, opposing counsel was a public defender. Speaking from the perspective of both a former prosecutor and a former trial judge, I can tell you the system simply does not work without a sufficiently funded and staffed public defender system.

To be sure, *all* attorneys in public service work long, hard hours, and *many* are underpaid and under-recognized. But if criminal cases cannot be moved efficiently through the system because of overloaded attorneys, we risk leaving those who are guilty on the street, those who are not guilty unable to return to being productive members of society, and victims and their families powerless to find closure and move forward with their lives. Together, we all share the burden of our state constitutional mandate demanding that “justice shall be administered without sale, denial or delay.”

### ***21st century workforce***

Now, in evaluating the state's successes during 2019, our governor focused on the importance of workforce development. In the judiciary, we, too, are focused on the 3,600 or so individuals – your constituents – who facilitate the daily business of our state courts.

As the chief justice of the United States said in his year-end report: “[W]e should ... remember that justice is not inevitable. We should reflect on our duty to judge without fear or favor, deciding each matter with humility, integrity, and dispatch ... to do our best to maintain the public's trust that we are faithfully discharging our solemn obligation to equal justice under law.”

We judges cannot faithfully discharge our duties under the law or maintain public trust and confidence without the support of the thousands of employees who become the faces of justice for so many who walk into our courthouses. It is in support of these employees that we have developed the 21st century workforce plan.

We simply cannot ask these people – who reside in your communities and work in our court system – to live below the value of their service. On their behalf, we thank you for your appropriations over the past few years of salary increases to bring our lowest-paid staff to at least the base of where our classification and compensation study shows they should be. But if we want to retain the good employees we have, and be able to recruit high-quality workers as positions become open, we need to move our staff toward market salary goals.

### ***Conclusion***

As we all enter this new year, this new decade, and new century of Missouri courts, together we have the opportunity to look back on how far we have come since Missouri's first constitution was adopted 200 years ago. After 25 years of working my way through the judiciary – as an associate circuit judge, circuit judge, appellate judge and now Supreme Court judge – fulfilling my family's legacy of service, I have come to appreciate the Court in its broadest sense, as an institution existing well beyond the seven of us who may sit at any given time.

In *every* branch of service, we have always had an imperative – to consider the legacy we will leave for all those yet to come. When Missourians 200 years from now look back upon this time, and examine all our works, reforms, and accomplishments, I hope they will find us to have been leaders ... innovators ... collaborators ... who left our state greater than we found it and fully supported those who toiled in and built cooperation among our co-equal branches of government.

Thank you.

The Joint Session was dissolved by Senator Rowden.

Speaker Haahr resumed the Chair.

Speaker Pro Tem Wiemann assumed the Chair.

## **PERFECTION OF HOUSE BILLS**

**HB 1963**, relating to high speed transportation, was placed on the House Bills for Perfection - Informal Calendar.

**HB 1450**, relating to controlled substance offenses, was taken up by Representative Schroer.

On motion of Representative Schroer, the title of **HB 1450** was agreed to.

Representative Merideth offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 1450, Page 2, Section 579.065, Lines 19 and 20, by deleting all of said lines and inserting in lieu thereof the following:

~~"[(7) More than thirty kilograms but less than one hundred kilograms of a mixture or substance containing marijuana;]"~~; and

Further amend said bill and section by renumbering all subsequent subsections accordingly; and

Further amend said bill, page and section, Line 51, by deleting all of said line and inserting in lieu thereof the following:

~~"[(7) One hundred kilograms or more of a mixture or substance containing marijuana; or]"; and~~

Further amend said bill and section by renumbering all subsequent subsections accordingly; and

Further amend said bill, Page 4, Section 579.068, Lines 19 and 20, by deleting all of said lines and inserting in lieu thereof the following:

~~"[(7) More than thirty kilograms but less than one hundred kilograms of a mixture or substance containing marijuana;]~~"; and

Further amend said bill and section by renumbering all subsequent subsections accordingly; and

Further amend said bill and section, Page 5, Lines 50 and 51, by deleting all of said lines and inserting in lieu thereof the following:

~~"[(7) One hundred kilograms or more of a mixture or substance containing marijuana; or  
(8) More than five hundred marijuana plants; or]"; and~~

Further amend said bill and section by renumbering all subsequent subsections accordingly; and

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

Speaker Haahr resumed the Chair.

Representative Merideth moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Plocher assumed the Chair.

Speaker Haahr resumed the Chair.

Representative Ross assumed the Chair.

On motion of Representative Schroer, **HB 1450** was ordered perfected and printed.

Speaker Haahr resumed the Chair.

**HCS HB 2033**, relating to eminent domain, was taken up by Representative Hansen.

On motion of Representative Hansen, the title of **HCS HB 2033** was agreed to.

Representative Plocher offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2033, Page 2, Section 523.262, Line 21, by deleting all of said line and inserting in lieu thereof the following:

**"4. (1) Notwithstanding the provisions of subsection 2 of this section, no entity shall have the power of eminent domain under the"; and**

Further amend said bill and page, Line 27, by deleting the words “**the private**” and inserting in lieu thereof the word “**such**”; and

Further amend said bill and page, Line 28, by deleting the words “**Private entity**” and inserting in lieu thereof the word “**Entity**”; and

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

On motion of Representative Plocher, **House Amendment No. 1** was adopted.

Representative Spencer offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2033, Page 2, Section 523.262, Line 37, by inserting after all of said section and line the following:

**"Section 1. No condemning authority shall acquire private property through the process of eminent domain for use as part of a tube transport system. For the purpose of this section, "tube transport system" shall mean a high-speed transportation system, including infrastructure and facilities, in which pressurized pods containing passengers or freight ride or coast upon a cushion of air through magnetic levitation within a reduced-pressure or vacuum, tube propelled by electric power.";** and

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

**House Amendment No. 2** was withdrawn.

Representative Merideth offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2033, Page 2, Section 523.262, Lines 21-22, by deleting said lines and inserting in lieu thereof the following:

**"4. (1) Private entities shall not have the power of eminent domain under the provisions of this section.";** and

Further amend said bill and page, Lines 23-32, by deleting all of said lines and inserting in lieu thereof the following:

**"(2) For the purpose of this subsection, "Private entity", means a utility company that does not provide service to end-use customers or provide retail service in Missouri, or does not collect its costs to provide service under a regional transmission organization tariff, regardless of whether it has received a certificate of convenience and necessity from the public service commission under section 393.170.";** and

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

Representative Plocher raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order well taken.

Speaker Pro Tem Wiemann resumed the Chair.

Speaker Haahr resumed the Chair.

Speaker Pro Tem Wiemann resumed the Chair.

On motion of Representative Hansen, **HCS HB 2033, as amended**, was adopted.

On motion of Representative Hansen, **HCS HB 2033, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolution was referred to the Committee indicated:

**HR 4659** - Consent and House Procedure

### **COMMITTEE REPORTS**

**Committee on Corrections and Public Institutions**, Chairman Roden reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Appelbaum, Green, Hansen, Henderson, McDaniel, Moon, Morse (151), Remole and Roden

Noes (1): Carter

Absent (0)

**Committee on Elementary and Secondary Education**, Chairman Basye reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1559**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Bailey, Baker, Basye, Christofanelli, Eslinger, O'Donnell and Swan

Noes (3): Bangert, Brown (70) and Morgan

Absent (4): Dogan, Proudie, Schroer and Stacy

**Committee on Pensions, Chairman Pike reporting:**

Mr. Speaker: Your Committee on Pensions, to which was referred **HB 1467**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Black (7), Brown (27), Clemens, Hovis, McGirl, O'Donnell, Pike, Ruth and Sain

Noes (0)

Absent (1): Pogue

Mr. Speaker: Your Committee on Pensions, to which was referred **HB 1934**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Black (7), Brown (27), Clemens, Hovis, McGirl, O'Donnell, Pike, Ruth and Sain

Noes (0)

Absent (1): Pogue

**COMMITTEE CHANGES**

January 22, 2020

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby remove Representative Kip Kendrick from the Special Committee on Government Oversight and appoint Representative Maria Chappelle-Nadal and appoint Representative Peter Merideth as the Ranking Minority Member.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Elijah Haahr  
Speaker  
Missouri House of Representatives  
134<sup>th</sup> District

The following members' presence was noted: Chappelle-Nadal and Moon.

## **ADJOURNMENT**

On motion of Representative Eggleston, the House adjourned until 10:00 a.m., Thursday, January 23, 2020.

## **COMMITTEE HEARINGS**

### **BUDGET**

Thursday, January 23, 2020, 8:15 AM, House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Budget presentation from the Department of Transportation.

### **BUDGET**

Monday, January 27, 2020, 1:00 PM, House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Budget presentations from the Secretary of State, Department of Economic Development and the Department of Agriculture.

### **BUDGET**

Tuesday, January 28, 2020, 8:15 AM, House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Budget presentations from the State Auditor and the Department of Elementary and Secondary Education.

### **CONSERVATION AND NATURAL RESOURCES**

Monday, January 27, 2020, 6:00 PM, House Hearing Room 7.  
Public hearing will be held: HB 1804, HB 1694, HB 1292, HB 1711  
Executive session may be held on any matter referred to the committee.

### **GENERAL LAWS**

Thursday, January 23, 2020, 9:20 AM, House Hearing Room 4.  
Executive session will be held: HJR 101, HJR 76, HB 2061  
Executive session may be held on any matter referred to the committee.

### **HEALTH AND MENTAL HEALTH POLICY**

Monday, January 27, 2020, 12:00 PM, House Hearing Room 7.  
Public hearing will be held: HB 1270, HB 1460, HB 1486  
Executive session may be held on any matter referred to the committee.

### **HEALTH AND MENTAL HEALTH POLICY**

Monday, February 3, 2020, 12:00 PM, House Hearing Room 7.  
Public hearing will be held: HB 1484  
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Tuesday, January 28, 2020, 8:00 AM, Joint Hearing Room (117).

Executive session may be held on any matter referred to the committee.

Report from Director McKenna of MODOT.

Report on specialty plate application from Department of Revenue.

Report on highway naming application from MODOT.

LOCAL GOVERNMENT

Tuesday, January 28, 2020, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 1814, HB 1819, HB 1854

Executive session will be held: HB 1698, HB 1700, HB 1933

Executive session may be held on any matter referred to the committee.

Executive session will be held first.

PENSIONS

Tuesday, January 28, 2020, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 1999

Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON CRIMINAL JUSTICE

Thursday, January 23, 2020, 9:00 AM, House Hearing Room 1.

Executive session will be held: HB 1293, HB 1468

Executive session may be held on any matter referred to the committee.

CANCELLED

SPECIAL COMMITTEE ON HOMELAND SECURITY

Tuesday, January 28, 2020, 6:00 PM or upon adjournment (whichever is later),

House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

General informational meeting on topics including school safety and aerial surveillance.

Representatives from multiple homeland security related organizations will be present to speak.

SPECIAL COMMITTEE ON STUDENT ACCOUNTABILITY

Tuesday, January 28, 2020, 12:00 PM, House Hearing Room 6.

Public hearing will be held: HB 1998

Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, January 29, 2020, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 7.

Public hearing will be held: HB 1586

Executive session may be held on any matter referred to the committee.

TASK FORCE ON SUBSTANCE ABUSE PREVENTION AND TREATMENT  
Thursday, January 23, 2020, 1:00 PM or upon adjournment (whichever is earlier),  
House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Discussion on mental health.

CANCELLED

TASK FORCE ON SUBSTANCE ABUSE PREVENTION AND TREATMENT  
Thursday, January 30, 2020, 1:00 PM or upon adjournment (whichever is earlier),  
House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Discussion on Mental Health.

TRANSPORTATION

Thursday, January 23, 2020, 8:30 AM, House Hearing Room 7.

Public hearing will be held: HB 1447, HB 1333, HB 1744, HB 1916, HB 1704

Executive session will be held: HB 1935, HB 1959, HB 1418, HB 1330

Executive session may be held on any matter referred to the committee.

CANCELLED

TRANSPORTATION

Monday, January 27, 2020, 12:00 PM, House Hearing Room 5.

Public hearing will be held: HB 1333, HB 1744, HB 1916, HB 1704

Executive session will be held: HB 1935, HB 1959, HB 1418, HB 1330

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT

Monday, January 27, 2020, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 1454, HB 2038

Executive session may be held on any matter referred to the committee.

## **HOUSE CALENDAR**

NINTH DAY, THURSDAY, JANUARY 23, 2020

### **HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 76

### **HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 104

### **HOUSE BILLS FOR SECOND READING**

HB 2238 through HB 2266

**HOUSE BILLS FOR PERFECTION**

HCS HBs 1511 & 1452 - Lynch  
HCS HB 2046 - Grier

**HOUSE BILLS FOR PERFECTION – INFORMAL**

HB 1963 - Fitzwater

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 1 - Smith  
CCS SCS HCS HB 2 - Smith  
CCS#2 SCS HCS HB 3 - Smith  
CCS SCS HCS HB 4 - Smith  
CCS SCS HCS HB 5 - Smith  
CCS SCS HCS HB 6 - Smith  
CCS SS SCS HCS HB 7 - Smith  
CCS SCS HCS HB 8 - Smith  
CCS SCS HCS HB 9 - Smith  
CCS SS SCS HCS HB 10 - Smith  
CCS SCS HCS HB 11 - Smith  
CCS SCS HCS HB 12 - Smith  
SCS HCS HB 13 - Smith  
HCS HB 17 - Smith  
HCS HB 18 - Smith  
HCS HB 19 - Smith

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