

# JOURNAL OF THE HOUSE

First Regular Session, 100th GENERAL ASSEMBLY

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NINTH DAY, Thursday, January 24, 2019

The House met pursuant to adjournment.

Representative Billington in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## HOUSE RESOLUTIONS

Representative Sauls offered House Resolution No. 207.

Representative Hill offered House Resolution No. 210.

## INTRODUCTION OF HOUSE BILLS

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

**HB 667**, introduced by Representative Helms, relating to pharmacies.

**HB 668**, introduced by Representative Helms, relating to higher education funding.

**HB 669**, introduced by Representative Green, relating to MO HealthNet coverage for incarcerated individuals.

**HB 670**, introduced by Representative Bland Manlove, relating to investigations of officer-involved incidents.

**HB 671**, introduced by Representative Moon, relating to the right to life.

**HB 672**, introduced by Representative Ellington, relating to minimum prison terms, with penalty provisions.

**HB 673**, introduced by Representative Christofanelli, relating to student journalists.

**HB 674**, introduced by Representative Kolkmeier, relating to transient guest taxes.

**HB 675**, introduced by Representative McDaniel, relating to the authorized electronic monitoring in long-term care facilities act, with penalty provisions.

**HB 676**, introduced by Representative Kolkmeier, relating to local taxes.

**HB 677**, introduced by Representative Patterson, relating to convention and sports complex funds.

**HB 678**, introduced by Representative Patterson, relating to the Missouri ABLE program.

**HB 679**, introduced by Representative Tate, relating to driver's license renewals.

**HB 680**, introduced by Representative Coleman (97), relating to the pain capable unborn child protection act.

**HB 681**, introduced by Representative Knight, relating to the fee imposed on new tire sales.

**HB 682**, introduced by Representative Miller, relating to video lottery, with penalty provisions.

**HB 683**, introduced by Representative Proudie, relating to victims of certain crimes.

**HB 684**, introduced by Representative Love, relating to animal trespass.

**HB 685**, introduced by Representative Kelly (141), relating to property classification.

**HB 686**, introduced by Representative Schroer, relating to the publication of electronic notice of the sale of real property.

**HB 687**, introduced by Representative Morris (140), relating to continuing education requirements for certain professionals.

**HB 688**, introduced by Representative Morris (140), relating to uninsured motorists, with a penalty provision.

**HB 689**, introduced by Representative Mitten, relating to public nuisance, with penalty provisions.

**HB 690**, introduced by Representative Mitten, relating to MO HealthNet services.

**HB 691**, introduced by Representative Mitten, relating to the ethics commission, with a delayed effective date.

**HB 692**, introduced by Representative Bosley, relating to restitution received by wrongfully imprisoned persons.

**HB 693**, introduced by Representative Kelly (141), relating to advanced practice registered nurses.

**HB 694**, introduced by Representative Anderson, relating to criminal history record checks, with penalty provisions and an emergency clause.

**HB 695**, introduced by Representative Mackey, relating to extreme risk protection orders, with penalty provisions.

**HB 696**, introduced by Representative Hicks, relating to the science, technology, engineering and mathematics (STEM) initiative.

**HB 697**, introduced by Representative Kelley (127), relating to timeshares, with penalty provisions.

**HB 698**, introduced by Representative Coleman (97), relating to tax increment financing.

**HB 699**, introduced by Representative Coleman (97), relating to development permits in floodplains.

### **SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolution was read the second time:

**HCR 25**, relating to St. Louis.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the second time:

**HJR 27**, relating to the general assembly.

**HJR 28**, relating to affirming life.

**HJR 29**, relating to a bond issuance for the veterans home bond fund.

### **SECOND READING OF HOUSE BILLS**

The following House Bills were read the second time:

**HB 635**, relating to the state demographer.

**HB 636**, relating to child support orders.

**HB 637**, relating to fantasy sports contests, with penalty provisions.

**HB 638**, relating to the Missouri DeMolay license plate.

**HB 639**, relating to a voluntary nonopioid directive form, with penalty provisions.

**HB 640**, relating to qualifications for elective public office.

**HB 641**, relating to firearms on public transportation systems, with penalty provisions.

**HB 642**, relating to guidelines for opioid prescriptions.

**HB 643**, relating to firearms on public transportation systems, with penalty provisions.

**HB 644**, relating to sheriffs.

**HB 645**, relating to salvage vehicles.

**HB 646**, relating to sheltered workshops.

**HB 647**, relating to the use of credit scores by insurance companies.

**HB 648**, relating to sales tax.

**HB 649**, relating to retirement benefits.

**HB 650**, relating to disciplinary procedures under the Division of Professional Registration.

**HB 651**, relating to sales of motor vehicles.

**HB 652**, relating to foreign ownership of agricultural land.

**HB 653**, relating to mental health insurance coverage.

**HB 654**, relating to credentialing procedure.

**HB 655**, relating to feral hogs.

**HB 656**, relating to election offenses.

**HB 657**, relating to long-term care insurance rates.

**HB 658**, relating to climate change.

**HB 659**, relating to a waiver from the Centers for Medicare and Medicaid Services.

**HB 660**, relating to generational use of public assistance.

**HB 661**, relating to conditions of probation.

**HB 662**, relating to the offense of promoting prostitution, with penalty provisions.

**HB 663**, relating to prosthetics and orthotics.

**HB 664**, relating to the Healthy Mothers Initiative.

**HB 665**, relating to tax relief.

**HB 666**, relating to bail reform, with penalty provisions.

### REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

**HR 207** - Consent and House Procedure

**HR 210** - Economic Development

### COMMITTEE REPORTS

**Committee on General Laws**, Chairman Plocher reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 67**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (13): Basye, Carpenter, Coleman (97), Evans (99), Fitzwater, Hicks, McCreery, Merideth, Plocher, Roeber, Rogers, Schroer and Taylor

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 397**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (13): Basye, Carpenter, Coleman (97), Evans (99), Fitzwater, Hicks, McCreery, Merideth, Plocher, Roeber, Rogers, Schroer and Taylor

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 445**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Basye, Coleman (97), Evans (99), Fitzwater, Hicks, Plocher, Roeber, Schroer and Taylor

Noes (4): Carpenter, McCreery, Merideth and Rogers

Absent (0)

**Committee on Ethics**, Chairman Eggleston reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **HR 137**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (10): Anderson, Andrews, Eggleston, Ellebracht, Fitzwater, Kendrick, Lynch, Mitten, Pierson Jr. and Stevens (46)

Noes (0)

Absent (0)

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE RESOLUTION NO. 137

ETHICS COMMITTEE  
RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 37.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

**(1) Letter of reproof - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a member, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the Committee's report.**

**(2) Reprimand - A sanction which recognizes the member's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the Committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.**

**(3) Censure - A sanction which recognizes the [respondent's] member's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the Committee's report and requires the presence of the [respondent] member in the chamber during consideration and vote by the entire House on such resolution.**

~~[(2) Letter of Reproof—A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the Committee's report—~~

~~————(3) Reprimand—A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the Committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.]~~

**(4) Expulsion - A sanction which recognizes the member's conduct constituted a legal or moral wrong and which may include punishment in the form of removal from office as provided in Article III, Section 18 of the Missouri Constitution, which recommendation is included as part of the Committee's report.**

**(5) Ethical misconduct -**

**(a) A crime;**

**(b) Willful neglect of duty;**

**(c) Corruption in office;**

**(d) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;**

**(e) Any conduct constituting a conflict of interest under Chapter 105, RSMo;**

**(f) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth; or**

**(g) Any breach of confidentiality provided for under these rules.**

**(6) Member - Any Missouri State Representative or Missouri State Representative-Elect.**

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed ~~[with the Speaker]~~ against a member ~~[of the House]~~ shall be made ~~[by a member or other individual]~~ under the authority of Rule ~~[101]~~ **37** of the House Rules of Procedure ~~[or the Policy Handbook of the Missouri House of Representatives involving sexual harassment investigations and member referral to the Committee on Ethics]~~. The complaints shall be confidential and shall be referred to the Committee on Ethics within ~~[ten (10) days, or within]~~ fourteen (14) **calendar** days ~~[under Rule 101 of the House Rules of Procedure, and]~~. **Each complaint** shall be in writing and under oath~~], setting forth in simple, concise and direct statements, unless such complaint alleges sexual harassment and is filed under the authority of Rule 101 of the House Rules of Procedure or the Policy Handbook, in which case the investigative report shall be sufficient to be considered a proper complaint referred to the Committee on Ethics]~~ **from the member, or in the case of alleged sexual harassment, the investigative report shall be sufficient to be considered a proper complaint. All complaints shall contain:**

(1) The name and ~~[legal]~~ address of the member or members or other individual **or individuals** acting as complainant;

(2) The name of the member ~~[of the House]~~ alleged to have engaged in ~~[the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:~~

———(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

———(b) Any conduct constituting a conflict of interest under Chapter 105, RSMo.;

———(c) **The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.]**  
**conduct constituting ethical misconduct;**

(3) The nature of the alleged ~~[crime, misconduct, neglect, corruption or other unethical act]~~ **act constituting ethical misconduct**, including when applicable, the specific law, rule, regulation, or ethical standard violated;

(4) The facts alleged to have given rise to the ~~[violation]~~ **act constituting ethical misconduct**; and

(5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All ~~[documents]~~ **records** in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. ~~[Initial Examination]~~ **Jurisdictional Hearing** of the Complaint by the Committee

A. Within thirty (30) **calendar** days of the assignment of the complaint ~~[by the Speaker]~~, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee~~], and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent]~~. **No person named in the complaint shall [not] act as a member of the Committee for purposes of [his] such complaint. The jurisdictional hearing to examine the complaint and report or other evidence provided to the Committee, and the determination under Rule 5. C. shall be conducted in a closed hearing.**

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a ~~[general]~~ statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to ~~[either]~~:

(1) **Proceed to a preliminary hearing;**

(2) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding; **or**

~~[(2) Proceed to a preliminary hearing;]~~

(3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed. **The Committee may, in its discretion, issue a report in conjunction with the dismissal of the complaint.**

D. In determining whether or not to proceed **to a preliminary hearing**, the Committee shall consider the following:

(1) The credible evidence **of ethical misconduct** contained in the complaint ~~[or]~~, **any report, or other evidence** appended thereto ~~[of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards]~~ ;

(2) Other administrative or disciplinary action by other interested bodies;

(3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and

(4) Other relevant circumstances that would justify expediting, declining, or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule ~~[6]~~ 7 of these Rules. The complainant **and alleged victim** shall also be notified, in writing, of the action of the Committee. ~~[Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.]~~

**F. Any party may make an objection to the participation of any member of the Committee in an examination of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules. Any temporary replacement made shall be of the same party as the replaced member and shall be chosen by the Speaker for the replacement of a member of the majority party or chosen by the Minority Floor Leader for the replacement of a member of the minority party; except that, if the Speaker is the respondent, the temporary replacement shall be chosen by the Chair of the Committee or, if the Minority Floor Leader is the respondent, the temporary replacement shall be chosen by the Vice Chair of the Committee.**

#### RULE 6. Confidentiality

**A. Counsel for the Committee on Ethics, with the consent of the Chair and Vice Chair, may redact any of the names and identifying information of the parties mentioned in any report, or provide a summary of the report.**

**B. No member or staff of the Committee on Ethics shall disclose, to any person or entity outside the Committee, any information received in the course of service with the Committee, except as authorized by the Committee or in accordance with its rules.**

**C. No person, other than House staff or employees properly part of the complaint process by rule or policy, who reviews or receives the results of any investigation or report shall disclose any information contained in the report, except to his counsel or in accordance with these rules.**

**D. If the complaint proceeds to a preliminary hearing, an unredacted report shall be provided to the complainant, alleged victim, and respondent. Any such unredacted report shall remain confidential, except as authorized by the Committee or in accordance with its rules. Any report provided by the Committee shall contain a watermark indicating that the document is confidential and shall list the name of the recipient.**

#### Rule 7. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may



desire to submit. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each allegation; **or**

(2) An objection to the jurisdiction of the Committee to investigate the complaint~~[-or]~~ .

~~[(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.]~~

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The ~~[Chairman]~~ **Chair** of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the ~~[Chairman]~~ **Chair** of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the ~~[Chairman]~~ **Chair**, such extension would facilitate a fair and complete inquiry and may be shortened when the ~~[Chairman]~~ **Chair** determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

#### RULE ~~[7-]~~ **8. Preliminary Hearings**

A. A preliminary hearing may be held to hear arguments based on the ~~[pleadings]~~ **evidence** submitted in the case. The preliminary hearing ~~[shall be an open meeting]~~ **may be closed at the discretion of the Committee.** The Committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the ~~[pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained]~~ **complaint or other evidence provided to the committee. Opening statements made during a preliminary hearing shall be limited to fifteen minutes for the complainant and fifteen minutes for the respondent; however, such time limitations may be increased at the discretion of the Chair of the Committee.**

B. The Committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the ~~[Chairman]~~ **Chair** or Committee member designated by him to administer oaths. ~~[Members of the Committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements]~~ **The Committee may take testimony from the complainant, alleged victim, respondent, and any other witness at the discretion of the Chair. The complainant, alleged victim, and respondent may submit a list of proposed witnesses to the Chair for consideration at least twenty-four hours in advance of the hearing. Only the Committee members, or special counsel for the Committee, may question a witness at the preliminary hearing.**

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to ~~[either]:~~

(1) Dismiss the complaint, ~~[or]~~ **which may be accompanied by a report issued by the Committee;**

(2) Proceed by ~~[(a)]~~ undertaking ~~[an investigative]~~ **a formal hearing;** or

~~[(b) deciding the case based upon the preliminary hearing.]~~

~~————— A decision based upon a preliminary hearing shall require the consent of the respondent.]~~

**(3) Offer a recommended sanction to the member which may include one of the following:**

**(a) Letter of reproof;**

**(b) Reprimand;**

**(c) Censure; or**

**(d) Expulsion.**

**If the member accepts the Committee's recommended sanction, the sanction shall be enforced and the complaint shall be concluded. If the member does not accept the recommended sanction, the Committee shall then proceed to a formal hearing.**

~~[D. If the Committee decides to make a summary decision of the case and the respondent accepts this disposition, the Committee may, by a majority vote, recommend one of the following sanctions:~~

- ~~\_\_\_\_\_ (1) Letter of reproof;~~
- ~~\_\_\_\_\_ (2) Reprimand; or~~
- ~~\_\_\_\_\_ (3) Censure.]~~

**RULE [8-] 9. [Investigative Hearings] Formal Hearings**

A. ~~[An investigative]~~ **A formal hearing [may] shall** be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House; **except that, such hearing may be closed at the discretion of the Committee.** The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, **electronic communications**, and documents as it deems necessary. ~~[The Committee may obtain a court issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.]~~ **The Committee may issue and enforce subpoenas as allowed by law.**

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the ~~[investigative]~~ **formal** hearing shall be as follows:

(1) The ~~[Chairman]~~ **Chair** shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes each.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee ~~[staff]~~; and
- (d) Rebuttal witnesses.

(4) The ~~[Chairman]~~ **Chair**, or his designee ~~[shall examine each]~~ , **and the Committee members may question any witness.** ~~[The Committee members may then question the witness. The respondent or his counsel may then cross examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross examined by the complainant or his counsel, if he has one, and then may be cross examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.]~~

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath shall be administered by the ~~[Chairman]~~ **Chair** or Committee member designated by him to administer oaths.

**RULE [9-] 10. Admissibility of Evidence**

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The ~~[Chairman]~~ **Chair** or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The ~~[Chairman]~~ **Chair** or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At ~~[an investigative]~~ **a formal** hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE ~~[40-]~~ **11. Witnesses**

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the ~~[Chairman]~~ **Chair**, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at ~~[investigative]~~ **formal** hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. ~~[Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.]~~

D. ~~[The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.~~

~~—————~~ ~~E-]~~ The respondent is entitled to present witnesses ~~[in]~~ **on** his behalf. However, the ~~[Chairman]~~ **Chair** may limit such testimony when, in his discretion, he finds the testimony is repetitious ~~[or]~~ **, cumulative, or irrelevant.**

~~[F-]~~ **E.** Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

~~[G-]~~ **F.** Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

~~[H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to the Committee.]~~

**G. Within ten calendar days before the scheduled formal hearing, each party shall notify the Committee and all other parties to the complaint, in writing, of the witnesses that are to appear at the formal hearing. Within five calendar days before the scheduled formal hearing, each party shall notify the Committee and all other parties to the complaint, in writing, of any proposed rebuttal witnesses that are to appear on his behalf. The Chair may exercise discretion in allowing any party's good faith request for additional witnesses that is proposed after the expiration of these time limits, or in denying any witness request made by a party if such request is not made in good faith.**

RULE ~~[44-]~~ **12. Findings, Conclusions and Recommendations**

A. At the completion of the preliminary hearing or ~~[investigative]~~ **formal** hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House **take one of the following actions:**

- ~~(1) [Expel the member as provided in Article III, Section 18 of the Missouri Constitution;~~
- ~~————— (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or~~
- ~~————— (3) Take no further action, stating the reasons therefor]~~ **Letter of reproval;**
- (2) Reprimand;**
- (3) Censure; or**
- (4) Expulsion.**

**C. The chair or counsel for the Committee shall redact from its findings, conclusions, and recommendations, the name or names and any identifying information of any person or persons alleged to be**

**a victim of sexual harassment or sexual misconduct by a member. An alleged victim may consent to the release of his or her name or other identifying information by providing a written request to the chair of the Committee.**

**RULE [42-] 13. Matters Not Covered in These Rules of Procedure**

The Rules of Procedure of the United States House of Representatives Committee on Ethics of the [15<sup>th</sup>] **116th** Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

## COMMITTEE APPOINTMENTS

January 24, 2019

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

Dear Ms. Miller:

I hereby appoint Representative Phil Christofanelli to the Standing Committee on Judiciary.

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

Sincerely,

/s/ Elijah Haahr  
Speaker of the House

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January 24, 2019

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

Dear Ms. Miller:

I hereby appoint the following to serve on the Joint Committee on Administrative Rules:

Representative Nick Schroer  
Representative Dean Plocher  
Representative Ben Baker

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

Sincerely,

/s/ Elijah Haahr  
Speaker of the House

January 24, 2019

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

Dear Ms. Miller:

I hereby appoint the following to serve on the Joint Committee on Transportation Oversight:

Representative Becky Ruth  
Representative Jeff Porter

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

Sincerely,

/s/ Elijah Haahr  
Speaker of the House

---

January 24, 2019

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

Dear Ms. Miller:

I hereby appoint Representative Steve Lynch to serve on the Missouri Military Preparedness and Enhancement Commission (MMPEC).

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

Sincerely,

/s/ Elijah Haahr  
Speaker of the House

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following members to serve on the Joint Committee on Administrative Rules:

Representative Peter Merideth  
Representative Gina Mitten

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following members to serve on the Joint Committee on Child Abuse and Neglect:

Representative Raychel Proudie  
Representative Keri Ingle  
Representative Cora Faith Walker

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following members to serve on the Joint Committee on Education:

Representative Paula Brown  
Representative Ingrid Burnett  
Representative Tommie Pierson, Jr.

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following to serve on the Joint Committee on the Justice System:

Representative Mark Ellebracht  
Representative Gina Mitten

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following to serve on the Joint Committee on the Life Sciences:

Representative Jon Carpenter  
Representative Tracy McCreery  
Representative Cora Faith Walker

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following to serve on the Joint Committee on Public Assistance:

Representative Kip Kendrick  
Representative Sarah Unsicker

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following to serve on the Joint Committee on Public Employee Retirement:

Representative Richard Brown  
Representative Joe Runions  
Representative Paula Brown

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following members to serve on the Joint Committee on Tax Policy:

Representative Steve Butz  
Representative Tracy McCreery

If you have any questions, please contact my office.



Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

---

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby appoint the following members to serve on the Joint Committee on Transportation Oversight:

Representative Greg Razer  
Representative Joe Runions  
Representative Kevin Windham

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

## **COMMITTEE CHANGES**

January 23, 2019

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

Dear Chief Clerk Rademan Miller,

I hereby remove the following member from the Standing Committee on Pensions:

Representative Judy Morgan

I hereby appoint the following member to serve on the Standing Committee on Pensions:

Representative Maria Chappelle-Nadal

If you have any questions, please contact my office.

Sincerely,

/s/ Crystal Quade  
House Minority Leader  
District 132

The following members' presence was noted: Allred, Anderson, Andrews, Appelbaum, Bailey, Baker, Bangert, Baringer, Barnes, Basye, Beck, Billington, Black (7), Black (137), Bland Manlove, Bondon, Bosley, Bromley, Brown (70), Brown (27), Burnett, Burns, Busick, Butz, Carpenter, Carter, Chipman, Christofanelli, Clemens, Coleman (32), Coleman (97), Deaton, DeGroot, Dogan, Dohrman, Eggleston, Ellebracht, Ellington, Eslinger, Evans (154), Evans (99), Falkner III, Fishel, Fitzwater, Francis, Gray, Green, Gregory, Grier, Griesheimer, Griffith, Haahr, Haden, Haffner, Hannegan, Helms, Henderson, Hicks, Hill, Hovis, Hudson, Hurst, Ingle, Kelley (127), Kelly (141), Kendrick, Knight, Kolkmeyer, Lavender, Lovasco, Love, Lynch, Mackey, Mayhew, McCreery, McDaniel, McGaugh, Merideth, Miller, Mitten, Moon, Morgan, Morris (140), Morse (151), Mosley, Muntzel, Murphy, O'Donnell, Patterson, Pierson Jr., Pietzman, Pike, Plocher, Pogue, Pollitt (52), Pollock (123), Porter, Price, Proudie, Quade, Razer, Reedy, Rehder, Remole, Richey, Riggs, Roberts (161), Roberts (77), Roeber, Rogers, Ross, Runions, Ruth, Sain, Sauls, Schnelting, Schroer, Sharpe, Shaul (113), Shawan, Shields, Simmons, Smith, Solon, Spencer, Stacy, Stevens (46), Swan, Tate, Taylor, Toalson Reisch, Trent, Unsicker, Veit, Vescovo, Walker, Washington, Wiemann, Wilson, Windham, Wood, and Wright.

**ADJOURNMENT**

On motion of Representative Billington, the House adjourned until 4:00 p.m., Monday, January 28, 2019.

**CORRECTION TO THE HOUSE JOURNAL**

**AFFIDAVIT**

I, State Representative Paula Brown, District 70, hereby state and affirm that my vote as recorded in the House Journal for Wednesday, January 23rd on the third reading of **HCS HBs 448 & 206** was incorrectly recorded as "absent." Pursuant to House Rule 94, I ask that the Journal be corrected to show that I was present in the chamber at the time of the vote, that I did vote and that my vote was incorrectly recorded and should have been recorded as "yes."

IN WITNESS THEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of January, 2019.

/s/ Paula Brown  
State Representative

State of Missouri            )  
  ) ss.  
County of Callaway        )

Subscribed and sworn to before me this 24th day of January in the year 2019.

/s/ Casey J. Dorsey  
Notary Public

## COMMITTEE HEARINGS

### AGRICULTURE POLICY

Wednesday, January 30, 2019, 12:00 PM, House Hearing Room 7.

Public hearing will be held: HB 161, HB 204, HB 401

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

Hearing room change.

CORRECTED

### BUDGET

Monday, January 28, 2019, 1:00 PM, House Hearing Room 3.

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

Budget presentations from the Auditor and Department of Conservation.

### BUDGET

Tuesday, January 29, 2019, 8:15 AM, House Hearing Room 3.

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

Budget presentations from the Lieutenant Governor and Department of Elementary & Secondary Education.

### BUDGET

Wednesday, January 30, 2019, 8:15 AM, 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 Revenue, Department of Transportation and Department of Public Safety.

### BUDGET

Thursday, January 31, 2019, 8:15 AM, House Hearing Room 3.

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

Budget presentations from the Governor, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor.

### CHILDREN AND FAMILIES

Tuesday, January 29, 2019, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 243, HB 544

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

### CONSENT AND HOUSE PROCEDURE

Tuesday, January 29, 2019, 12:00 PM, House Hearing Room 5.

Public hearing will be held: HR 79, HR 62, HR 86, HR 147

Executive session will be held: HR 79, HR 62, HR 86, HR 147

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

CONSERVATION AND NATURAL RESOURCES

Monday, January 28, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 7.

Public hearing will be held: HB 260, HB 283

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

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, January 29, 2019, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 70, HB 230, HB 303, HB 324

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

CRIME PREVENTION AND PUBLIC SAFETY

Monday, January 28, 2019, 12:00 PM, House Hearing Room 6.

Public hearing will be held: HB 111, HB 418, HB 185

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

There will be an organizational meeting prior to hearing the bills.

DOWNSIZING STATE GOVERNMENT

Monday, January 28, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 6.

Public hearing will be held: HB 214, HB 250, HB 451

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

Removed HB 81 and added HB 451.

AMENDED

ECONOMIC DEVELOPMENT

Monday, January 28, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 5.

Public hearing will be held: HCR 7, HB 560, HB 469

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

ELECTIONS AND ELECTED OFFICIALS

Wednesday, January 30, 2019, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 363, HB 361

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

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, January 29, 2019, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 299, HB 364

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

GENERAL LAWS

Wednesday, January 30, 2019, 6:00 PM, House Hearing Room 1.

Public hearing will be held: HB 445, HB 523

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

HEALTH AND MENTAL HEALTH POLICY

Monday, January 28, 2019, 1:00 PM, House Hearing Room 7.

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

Organizational meeting.

JOINT COMMITTEE ON DISASTER PREPAREDNESS AND AWARENESS

Wednesday, January 30, 2019, 3:30 PM, SCR 1.

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

Mission statement, develop committee priorities.

Presentation: Adjutant General Stephen L. Danner.

Missouri National Guard's structure and capabilities.

JUDICIARY

Tuesday, January 29, 2019, 12:00 PM, House Hearing Room 4.

Public hearing will be held: HB 447, HB 461

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

Added HB 461.

AMENDED

JUDICIARY

Tuesday, January 29, 2019, 6:00 PM, House Hearing Room 5.

Public hearing will be held: HB 447

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

CANCELLED

LOCAL GOVERNMENT

Tuesday, January 29, 2019, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 246

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

PENSIONS

Tuesday, January 29, 2019, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 77

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

RULES - LEGISLATIVE OVERSIGHT

Monday, January 28, 2019, 2:00 PM, House Hearing Room 5.

Executive session will be held: HCS HB 397, HB 445, HCS HB 67

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

Adding HB 67.

AMENDED

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, January 30, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 7.

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

Informational meeting.

**SUBCOMMITTEE ON APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Tuesday, January 29, 2019, 12:00 PM, House Hearing Room 3.

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

Informational overview by the Department of Social Services.

**UTILITIES**

Tuesday, January 29, 2019, 6:00 PM, House Hearing Room 7.

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

This is an informational/planning meeting only. No bills will be heard.

CORRECTED

**VETERANS**

Wednesday, January 30, 2019, 12:00 PM, House Hearing Room 1.

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

Organizational meeting. Hearing moved to HR 1.

Corrected: Joe Driskill will give an overview of what the Department of Economic Development does for veterans.

CORRECTED

**WORKFORCE DEVELOPMENT**

Monday, January 28, 2019, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 225, HB 255

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

There will be a presentation at the beginning of the hearing by Rob Dixon, Director of the Department of Economic Development, and Zora Mulligan, Commissioner of the Department of Higher Education.

**HOUSE CALENDAR**

TENTH DAY, MONDAY, JANUARY 28, 2019

**HOUSE BILLS FOR SECOND READING**

HB 667 through HB 699

**HOUSE RESOLUTIONS**

HCS HR 137 - Eggleston

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

HCS HB 2001 - Smith  
CCS SCS HCS HB 2002 - Smith  
CCS SCS HCS HB 2003 - Smith  
CCS SCS HCS HB 2004 - Smith  
CCS SCS HCS HB 2005 - Smith  
CCS SCS HCS HB 2006 - Smith  
CCS SCS HCS HB 2007 - Smith  
CCS SCS HCS HB 2008 - Smith  
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SCS HCS HB 2013 - Smith  
HCS HB 2017 - Smith  
HCS HB 2018 - Smith  
HCS HB 2019 - Smith

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