

JOURNAL OF THE HOUSE

First Regular Session, 100th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, WEDNESDAY, MAY 29, 2019

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 1, CCS SCS HCS HB 2, CCS#2 SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, SCS HCS HB 13, HCS HB 17, HCS HB 18, HCS HB 19, SS HB 138, HB 182, SS SCS HCS HB 220, SCS HCS HBs 243 & 544, SCS HB 260, SCS HCS HB 266, SCS HB 355, CCS SS SCS HCS HB 397, SCS HCS HB 447, SCS HCS HB 547, SS SCS HB 565, SS#2 SCS HCS HB 604, HB 612, HB 655, SS HCS HB 677, SS HCS HB 694, HCS HBs 812 & 832, HB 831, HB 898, SCS HB 926, SS SCS HCS HB 959 and SS HCS HB 1088** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

CONSTITUTIONAL OBJECTIONS

Representative Moon offered objections to **SS SCS HCS HB 192, CCS SS SCS HCS HB 399, CCS SS HCS#2 HB 499 and SS HB 821**, which were appended to the bills.

May 29, 2019

Dana Miller
Chief Clerk of the House
Room 310
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SS SCS HCS HB 192

Missouri's Constitution states in Article III, section 21 states, "... no bill shall be so amended through its passage through either house as to change its original purpose."

The original purpose of House Bill 192 was “relating to the payment of fines.” When the bill was passed out of the House, the original purpose remained intact. While in the Senate, however, the title was changed to “relating to court procedures.”

The apparent changes made in the Senate were necessary for increasing the scope of the bill to include not only the payment of fines, but also unrelated items such as County sheriff’s ability to receive \$10 for service of any summons, writs, subpoenas, or other court orders, the removal of a provision requiring the Director of the Public Defender’s Office to prepare a plan to establish district offices that would coincide with existing judicial circuits, specifies that traffic court judges in St. Louis County may review decisions of the Director of Revenue or Department of Revenue to revoke a person’s driver’s license for refusal to submit to a chemical test, modifies provisions related to the Public Service Commission, removal of a provision requiring the Director of the Public Defender’s Office to prepare a plan to establish district offices that would coincide with existing judicial circuits, and finally, the bill specifies circumstances under which a court may depart from mandatory minimum prison sentences or terms.

Lastly, Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that SS SCS HCS HB 192 contains more than one subject, that is, if the original purpose of the bill was “relating to the payment of fines” and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Dana Miller
Chief Clerk of the House
Room 310
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – CCS SS SCS HCS HB 399

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of House Bill 399 was relating to health care for persons with disabilities. The Truly Agreed and Finally Passed version of HB 399 had a broader title of relating to healthcare.

The title change allowed the inclusion of personal care assistance vendors, consumer directed services, developing an interactive assessment tool for utilization by the Division of Senior and Disability Services, offender Missouri Healthnet benefits, unanticipated out-of-network healthcare services, and multiple employer welfare.

Lastly, Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that CCS SS SCS HCS HB 399 contains more than one subject, that is, if the original purpose of the bill was “relating to the health care for persons with disabilities” and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Dana Miller
Chief Clerk of the House
Room 310
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – CCS SS HCS#2 HB 499

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of House Bill 499 was relating to accidents occurring in work or emergency zones. The Truly Agreed and Finally Passed version of HB 499 had a broader title of relating to transportation.

The title change allowed the inclusion of license fees, title transfer fees, permit fees, fees charged for processing of lien notices, the designation of memorial highways, and authorizing traffic court judges in St. Louis County to revoke driver’s licenses.

Lastly, Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that CCS SS HCS#2 HB 499 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Dana Miller
Chief Clerk of the House
Room 310
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Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SS HB 821

Missouri’s Constitution states in Article III, section 42 states, “No local or special law shall be passed unless a notice, setting forth the intention to apply therefore and the substance of the contemplated law, shall have been published in the locality where the matter or thing to be affected is situated at least thirty days prior to the introduction of the bill into the general assembly and in the manner provided by law. Proof of publication shall be filed with the general assembly before the act shall be passed and the notice shall be recited in the act.”

House Bill 821 deals with a land bank in the locality of St. Joseph only, thereby requiring a notice in the St. Joseph area and proof of the notice (in the bill).

No notice was found in SS HB 821, thereby rendering the bill in violation of the Missouri constitution.

/s/ Mike Moon
District 157

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SS SCS HCS HB 192, CCS SS SCS HCS HB 399, CCS SS HCS#2 HB 499** and **SS HB 821** were read at length and were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 1, CCS SCS HCS HB 2, CCS#2 SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, SCS HCS HB 13, HCS HB 17, HCS HB 18, HCS HB 19, SS HB 138, HB 182, SS SCS HCS HB 192, SS SCS HCS HB 220, SCS HCS HBs 243 & 544, SCS HB 260, SCS HCS HB 266, SCS HB 355, CCS SS SCS HCS HB 397, CCS SS SCS HCS HB 399, SCS HCS HB 447, CCS SS HCS#2 HB 499, SCS HCS HB 547, SS SCS HB 565, SS#2 SCS HCS HB 604, HB 612, HB 655, SS HCS HB 677, SS HCS HB 694, HCS HBs 812 & 832, SS HB 821, HB 831, HB 898, SCS HB 926, SS SCS HCS HB 959** and **SS HCS HB 1088** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 1, SS#2 SB 7, SCS SBs 12 & 123, CCS SB 17, SS#3 SCS SB 29, SS SCS SB 30, CCS HCS SB 36, CCS HCS SB 54, HCS SB 68, SB 84, SCS SB 90, SCS SB 101, HCS SB 134, SB 138, CCS#2 HCS SCS SB 147, HCS SCS SB 167, SCS SB 174, SB 179, SCS SB 180, CCS HCS SB 182, SB 185, SS SCS SB 197, CCS HCS SB 202, HCS SCS SB 203, HCS SS SB 210, SS SB 213, HCS SS#4 SB 224, CCS SS SCS SB 230, HCS SB 282, SS SCS SB 291, SS SB 306, SB 333, SB 397** and **SS SB 414** and were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

CONSTITUTIONAL OBJECTIONS

Representative Moon offered objections to **CCS SCS SB 83, HCS SB 87, SCS SB 89, CCS HCS SB 133, HCS SB 196, SB 275, SB 297, CCS SB 368** and **SB 514**, which were appended to the bills.

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – CCS SCS SB 83

Missouri's Constitution states in Article III, section 21 states, "... no bill shall be so amended through its passage through either house as to change its original purpose."

The original purpose of Senate Bill 83 was relating to the relocation of a child. The Truly Agreed and Finally Passed version of CCS SCS SB 83 had a broader purpose including grandparent visitation, public defenders, and the partitioning of property among heirs.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that CCS SCS SB 83 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – HCS SB 87

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 87 was relating to an option for taxpayers to donate a portion of income to the Pediatric Cancer Research Trust Fund. The Truly Agreed and Finally Passed version of HCS SB 87 had a broader purpose including transient guest taxes, a public safety officer surviving spouse tax credit, residential renovations for disability tax credit, Missouri adjusted gross income, late income tax payment, Sahara’s law, the Kansas City Regional Law Enforcement Memorial fund, sales tax receipts, and fantasy sports contests.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that HCS SB 87 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
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CONSTITUTIONAL OBJECTION – SCS SB 89

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 89 was relating to commercial driver's licenses. The Truly Agreed and Finally Passed version of SCS SB 89 had a broader title of relating to transportation and included the following subjects: surety bonds; vehicle inspections; and fines for striking a worker in a construction zone.

Missouri constitution, Article III, section 23 states, "No bill shall contain more than one subject which shall be clearly expressed in its title."

It is clear that SCS SB 89 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

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Secretary of the Senate
Room 325
201 Capitol Avenue
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CONSTITUTIONAL OBJECTION – CCS HCS SB 133

Missouri's Constitution states in Article III, section 21 states, "... no bill shall be so amended through its passage through either house as to change its original purpose."

The original purpose of Senate Bill 133 was relating to egg production. The Truly Agreed and Finally Passed version of CCS HCS SB 133 had a broader purpose including agricultural zoning classifications, the growing of industrial hemp, fees charged by the department of agriculture, and the repeal of laws related to treated timber. Missouri constitution, Article III, section 23 states, "No bill shall contain more than one subject which shall be clearly expressed in its title."

It is clear that CCS HCS SB 133 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – HCS SB 196

Missouri's Constitution states in Article III, section 21 states, "... no bill shall be so amended through its passage through either house as to change its original purpose."

The original purpose of Senate Bill 196 was relating to awarding grants to preserve, protect, or restore historic county courthouses. The Truly Agreed and Finally Passed version of HCS SB 196 had a broader purpose including state parks concession contracts and the Rock Island trail state park endowment fund.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that HCS SB 196 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SB 275

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 275 was relating to health care (in and of itself, a fairly broad title). The Truly Agreed and Finally Passed version of SB 275 including an even broader (and non-germane) list of subjects: sheltered workshops, a senior services growth and development program, and a joint task force on radiologic technologist licensure.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that SB 275 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SB 297

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 297 was relating to individuals eligible to be excused from jury service. The Truly Agreed and Finally Passed version of SB 297 included a list of non-germane subjects: terms of probation and first degree murder sentencing.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that SB 297 contains more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – CCS SB 368

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 368 was relating to dealer license plates. The Truly Agreed and Finally Passed subject of CCS SB 368 was relating to transportation. The change in purpose allowed for the inclusion port authorities, motor vehicle rental and leasing, organ donor designations on driver’s licenses, and commercial driver’s licenses.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

It is clear that CCS SB 368 was purposefully changed to include more that one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

May 29, 2019

Adriane Crouse
Secretary of the Senate
Room 325
201 Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SB 514

Missouri’s Constitution states in Article III, section 21 states, “... no bill shall be so amended through its passage through either house as to change its original purpose.”

The original purpose of Senate Bill 514 was relating to MO HealthNet benefits for individuals aged 18 - 26. The Truly Agreed and Finally Passed version of SB 514 subject was relating to healthcare. The broad change in purpose allowed for the inclusion of a task force on substance abuse prevention and treatment, health professional student loan repayment program, physician referrals of infants affected by substance abuse, medication-assisted treatment, pregnancy-associated mortality review board, infection data reporting, physician assistants, electronic prescribing, opioid prescriptions for sickle cell patients, medical marijuana, hospital inspections, certified nursing assistants, ticket to work health assurance program, Medicaid per diem reimbursement rates, the Missouri Rx plan, structured family caregiving, consumer directed services for non-Missouri HealthNet eligible participants, prescribing long-acting or extended release opioids by dentists, telehealth, family and marital therapist training, tobacco cessation, pharmacist voluntary compliance agreements, pharmacy pilot projects, utilization reviews, multiple employer self-insured health plans, health insurance for persons with disabilities, and health insurance reimbursement.

Missouri constitution, Article III, section 23 states, “No bill shall contain more than one subject which shall be clearly expressed in its title.”

While it could be argued that the final bill does indeed deal with healthcare, it also expanded (changed) the bill’s original intent. It is clear that SB 514 was purposefully changed to include more than one subject and therefore has violated the constitution and will of the people.

/s/ Mike Moon
District 157

SIGNING OF SENATE BILLS

All other business of the House was suspended while **CCS SCS SB 83, HCS SB 87, SCS SB 89, CCS HCS SB 133, HCS SB 196, SB 275, SB 297, CCS SB 368 and SB 514** were read at length and were signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE JOINT RESOLUTIONS

All other business of the House was suspended while **SS SCS SJRs 14 & 9** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE CONCURRENT RESOLUTIONS

All other business of the House was suspended while **SCR 2, SCR 4 and SS#2 SCR 14** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Windham assumed the Chair.

MESSAGES FROM THE GOVERNOR

May 24, 2019

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES
100th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 126** entitled:

AN ACT

To repeal sections 135.630, 188.010, 188.015, 188.027, 188.028, 188.043, and 188.052, RSMo, and to enact in lieu thereof seventeen new sections relating to abortion, with penalty provisions, a contingent effective date for a certain section, and an emergency clause for a certain section.

On May 24, 2019, I approved **Senate Substitute for Senate Committee Substitute for House Bill No. 126**.

Respectfully Submitted,

/s/ Michael L. Parson
Governor

Having been returned from the Governor with his approval, **SS SCS HB 126** was delivered to the Secretary of State by the Chief Clerk of the House.

The following members' presence was noted: Baker, Bangert, Basye, Black (7), Black (137), Bland Manlove, Brown (27), Burnett, Chappelle-Nadal, Chipman, Clemens, Coleman (32), Deaton, DeGroot, Eggleston, Falkner III, Fitzwater, Griffith, Haahr, Haffner, Ingle, Kelley (127), Kelly (141), Kendrick, Lavender, McGaugh, Moon, Muntzel, Neely, Plocher, Pollitt (52), Porter, Proudie, Razer, Roberts (161), Ruth, Schroer, Sharpe, Shawan, Trent, Vescovo, Windham, and Wright.

ADJOURNMENT

Representative Windham declared the House of Representatives of the One-Hundredth General Assembly convened in the First Regular Session on January 9, 2019, adjourned as of midnight, May 30, 2019, in accordance with the Constitution.

ELIJAH HAAHR
Speaker of the House

DANA RADEMAN MILLER
Chief Clerk of the House