

Journal of the House

ONE HUNDREDTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI

FIRST REGULAR SESSION
FIRST EXTRAORDINARY SESSION

FIRST DAY, MONDAY, SEPTEMBER 9, 2019

Representative Eggleston in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

O give thanks unto the Lord; for He is good: for His mercy endureth forever. (Psalm 118:29)

O God, our awesome creator, who knows us better than we know ourselves, whose mercy never lets us down, and whose love never lets us go, by Your Spirit help us to take an honest look at ourselves and at our frustrations, our fears and the failures that sometimes mark our daily lives, so much of which separate us from You and from one another here and at home.

Grant us the assurance of Your forgiving spirit, the consciousness of Your redeeming love, and the confidence of Your empowering presence, that we may begin again this day to walk in Your ways, to believe Your truth, and to live Your life revealed to us in the sacred Scriptures.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

MESSAGES FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Michael L. Parson:

PROCLAMATION

WHEREAS, on June 25, 2019, the Missouri Supreme Court ruled in the case of *Kehlenbrink v. Director of Revenue* (SC 97287), which held that Section 144.025, RSMo, permits the sale proceeds of only one vehicle as a credit against the purchase price of a new vehicle for the purposes of calculating sales tax; and

WHEREAS, the Department of Revenue has historically allowed for the sale of more than one vehicle to be used as credit against the sales tax owed on the purchase of another vehicle; and

WHEREAS, given the Missouri Supreme Court's interpretation of the statute, the Department of Revenue will be limited to only allowing the sale of one vehicle to be used as a credit against sales tax owed; and

WHEREAS, we believe that if a taxpayer purchases a motor vehicle and sells one or more motor vehicles within 180 days, the taxpayer should only owe sales tax on the difference between the purchase price and the sale price of the respective motor vehicles; and

WHEREAS, this is in line with the Department of Revenue's prior practice and what consumers have come to expect; and

WHEREAS, after the *Kehlenbrink* decision, a statutory change is necessary in order to effectuate this policy.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundredth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Monday, September 9, 2019; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation amending Section 144.025, RSMo for the sole purpose of allowing the sale of more than one motor vehicle, trailer, boat, or outboard motor to be used as credit against the sales tax owed on the purchase of another motor vehicle, trailer, boat, or outboard motor.
2. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate.
3. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21st day of August, 2019.

/s/ Michael L. Parson
Governor

ATTEST:

/s/ Jay Ashcroft
Secretary of State

LETTERS OF RESIGNATION

July 23, 2019

Dear Governor Parson,

I submit my resignation as State Representative to the 78th District effective July 31, 2019, at 1:00 p.m. It has been

an honor to serve my community and this state. I hope to effect change in a positive manner outside of the legislature.

/s/ Bruce Franks Jr
State Representative 78th District

July 26, 2019

Governor Michael L. Parson
P.O. Box 720
Jefferson City, MO 65102

I hereby resign from the office of State Representative, effective July 29, 2019, at 8:00 a.m. It is my hope that by resigning at this time, the Governor may call the earliest possible special election in a timely fashion.

Sincerely,

/s/ Cora Faith Walker
District 74

July 31, 2019

Governor Michael L. Parson
Missouri State Capitol Building
201 West Capitol Ave., Room 216
Jefferson City, MO 65101

Dear Governor Parson,

It has been an honor serving in the House of Representatives. My time serving in the House has given me valuable insight and I shall be forever grateful to the citizens of the 22nd District for allowing me to represent their voices. I look forward to continue serving and representing the voices of voiceless in the political process so I humbly submit my resignation to the House of Representatives effective July 31, 2019, at 12:00 p.m., and I look forward to this new chapter of service.

Respectfully,

/s/ Brandon Ellington
House Minority Whip
22nd District

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

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

HJR 1, introduced by Representative Merideth, relating to firearms.

INTRODUCTION OF HOUSE BILLS

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

HB 1, introduced by Representative Ruth, relating to sales and use tax allowances for certain items.

HB 2, introduced by Representative Green, relating to the sale of assault weapons, with penalty provisions.

HB 3, introduced by Representative Green, relating to the extreme risk protection order act, with penalty provisions.

HB 4, introduced by Representative Green, relating to a study on gun violence.

HB 5, introduced by Representative Lavender, relating to an extreme risk order of protection, with penalty provisions.

HB 6, introduced by Representative Price, relating to the storage of firearms, with penalty provisions.

HB 7, introduced by Representative Bland Manlove, relating to the sale and transfer of ammunition, with penalty provisions.

HB 8, introduced by Representative Sauls, relating to property tax assessments, with an emergency clause for a certain section.

HB 9, introduced by Representative Brown (27), relating to firearms.

HB 10, introduced by Representative Bangert, relating to firearms in motor vehicles.

HB 11, introduced by Representative Merideth, relating to firearms, with penalty provisions.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the One Hundredth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extraordinary Session of the First Regular Session of the One Hundredth General Assembly and is ready for consideration of its business.

The following members' presence was noted: Andrews, Bailey, Baker, Bangert, Baringer, Barnes, Basye, Billington, Black (137), Bromley, Brown (27), Brown (70), Burnett, Busick, Butz, Clemens, Coleman (32), Coleman (97), DeGroot, Dinkins, Eggleston, Evans, Falkner, Fishel, Fitzwater, Francis, Green, Griffith, Hansen, Hovis, Hurst, Kelley (127), Kelly (141), Kendrick, Kolkmeier, Mackey, Mayhew, McDaniel, McGaugh, McGirl, Merideth, Muntzel,

Murphy, Pfautsch, Pike, Pogue, Pollitt (52), Pollock (123), Porter, Proudie, Reedy, Roberts (161), Runions, Ruth, Sauls, Sharpe, Shaul (113), Shawan, Shields, Shull (16), Sommer, Stacy, Tate, Taylor, Unsicker, Veit, Vescovo, Washington, Wiemann, Windham, Wood, and Wright.

ADJOURNMENT

On motion of Representative Eggleston, the House adjourned until 10:00 a.m., Tuesday, September 10, 2019.

COMMITTEE HEARINGS

CONSERVATION AND NATURAL RESOURCES

Tuesday, September 10, 2019, 12:30 PM, House Hearing Room 4.

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

Discussion on the change the Department of Conservation has made regarding acreage requirements for no-cost deer and turkey landowner permits. Additional discussion will be held on feral hogs.

AMENDED

FISCAL REVIEW

Wednesday, September 11, 2019, 8:00 AM, House Hearing Room 7.

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

GENERAL LAWS

Tuesday, September 10, 2019, 1:30 PM, House Hearing Room 6.

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

Discussion on the effects of the change in ratio requirement for unlicensed daycare providers from HB 397.

RULES - LEGISLATIVE OVERSIGHT

Tuesday, September 10, 2019, 2:30 PM, House Hearing Room 7.

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

Executive session on HB 1- pending referral.

SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT

Tuesday, September 10, 2019, 12:30 PM, House Hearing Room 1.

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

Discussion on virtual schools.

WAYS AND MEANS

Tuesday, September 10, 2019, 12:30 PM, House Hearing Room 7.

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

Public hearing and executive session on HB 1- pending referral.

HOUSE CALENDAR

SECOND DAY, TUESDAY, SEPTEMBER 10, 2019

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1

HOUSE BILLS FOR SECOND READING

HB 1 through HB 11