

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-NINTH DAY—WEDNESDAY, MARCH 3, 2021

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“I praise you for I am fearfully and wonderfully made. Wonderful are your works; that I know very well.” (Psalm 139:14)

We praise You, Heavenly Father, and thank You for the health we enjoy to do our daily work. We pray for You to bless us with wisdom to discipline our habits that we may do that which is helpful to our bodies and don’t indulge in things that are harmful. We pray for minds that are distressed by worry and free from anxiety for we trust fully in You. We pray for our minds to be cleansed so we are not bitter or resentful but content with what You have provided for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin
Onder	Razer	Riddle	Rizzo	Roberts	Rowden	Schatz
Schupp	Washington	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Rehder—1

Vacancies—None

The Lieutenant Governor was present.

Senator Hough assumed the Chair.

RESOLUTIONS

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 137

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2021, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, One Hundred First General Assembly, hereby grant the adult leaders and participants of Missouri Girls State permission to use the Senate Chamber for the purpose of swearing in mock legislative officials and conducting a mock legislative session from 8:00 am to 5:00 pm on June 23, 2021.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 137** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 137** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 138

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 11, 2021 through November 13, 2021 and December 2, 2021 through December 4, 2021.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 138** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 138** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO.139

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use

the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. on Thursday, October 21 and 8:00 am - 12:00 pm on Friday, October 22, 2021.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 139** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 139** was adopted.

Senator Bernskoetter offered the following resolution:

SENATE RESOLUTION NO. 140

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, One Hundred First General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber, the Senate Lounge and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on September 25, 2021, for the purpose of a citizens assembly and workshops.

Senator Bernskoetter requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 140** up for adoption, which request was granted.

On motion of Senator Bernskoetter, **SR 140** was adopted.

CONCURRENT RESOLUTIONS

Senator Eigel offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, H.R. 1319, entitled the “American Rescue Plan”, passed the United States House of Representatives on February 26, 2021, is currently pending in the United States Senate, and appears headed for final passage and presentment to the President; and

Whereas, a provision in the American Rescue Plan would send federal funds directly to cities and counties within the several states, bypassing the state governments as a means of distribution; and

Whereas, the foundation of the American Republic rests upon the explicit and implicit tenets of federalism embedded throughout the United States Constitution in which a symbiotic relationship exists between the federal government and the several states; and

Whereas, the states are the ultimate source of sovereignty in the United States, and, as noted by James Madison in Federalist No. 45, they “are essential components of the federal government,” while the federal government is “nowise essential to the operation or organization of the” state governments; and

Whereas, neither the history nor tradition of federalism in the United States contemplates the idea of a relationship between the federal government and the counties and cities of the several states but rather it contemplates a relationship between the federal government and the several state governments; and

Whereas, counties and cities are creations of the state and, as such, cannot exist without the state; and

Whereas, the federal government should not be sending federal funds directly to the counties and cities of the several states, but rather should be sending such funds directly to the state to distribute to the funds; and

Whereas, states are in a better position to understand the needs of its various counties and cities and more appropriately allocate the federal funds to which the respective states are entitled:

Now, Therefore Be It Resolved that the members of the Missouri Senate, One Hundred and First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Attorney General of Missouri to file a complaint against the federal government in federal court challenging the direct payment of federal funds to counties and cities; and

Be It Further Resolved that sending federal funds directly to cities and counties within states violates the principle of federalism embedded in the United States Constitution; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Attorney General.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 152**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
March 3, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for you advice and consent the following appointments:

Stephen J. Coppinger, Independent, 6546 Summit Street, Kansas City, Jackson County, Missouri 64113, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2027, and until his successor is duly appointed and qualified; vice, Marilou Joyner, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 3, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for you advice and consent the following appointments:

Shanda Durbin, Independent, 15375 Private Drive 3432, Saint Joseph, Andrew County, Missouri 64505, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2023, and under her successor is duly appointed and qualified; vice, George R. Speckman, resigned.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

At the request of Senator Schatz, **SB 11** was placed on the Informal Calendar.

Senator White moved that **SB 43**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 43**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to hearing aids covered by health benefit plans.

Was taken up.

Senator White moved that **SCS** for **SB 43** be adopted.

Senator White offered **SS** for **SCS** for **SB 43**:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to hearing aids covered by health benefit plans.

Senator White moved that **SS** for **SCS** for **SB 43** be adopted, which motion prevailed.

President Kehoe assumed the Chair.

On motion of Senator White, **SS** for **SCS** for **SB 43** was declared perfected and ordered printed.

Senator Burlison moved that **SB 330** be taken up for perfection, which motion prevailed.

On motion of Senator Burlison, **SB 330** was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Gannon introduced to the Senate, the Arcadia Valley High School Girls Cross Country team: Natalie Stricklin, Emma Dittmer, Erica Standefer, Avery Jones, Mary Teddis, Ella Weber, Trinity Russell, and Alyssa Glanzer.

Senator Schupp introduced to the Senate, Chance Sticklen, Joplin; Mitch Eden, Kirkwood, Amelia Hurley, Kirkwood, and Amara Harper, Kirkwood.

Senator Crawford introduced to the Senate, Hollie Elliott, Fair Grove; Travis Elliott, Fair Grove; and Anson Elliott, Fair Grove.

Senator Arthur introduced to the Senate, Kelly McClelland, Liberty; Elizabeth Rae McClelland, Liberty; and Ryan McClelland, Liberty.

Senator Brattin introduced to the Senate, Zeke Spieker, Maddy Karst, Sarah Misener; and Lena Misener.

Senator Roberts introduced to the Senate, Annie-Marie Clarke, St. Louis.

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

SENATE CALENDAR

THIRTIETH DAY—THURSDAY, MARCH 4, 2021

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 478-Hough	SB 516-Gannon
SB 479-Hough	SB 517-Gannon
SB 480-White	SB 518-Gannon
SB 481-Hough	SB 519-Riddle
SB 482-Beck	SB 520-Roberts
SB 483-Koenig	SB 521-Roberts
SB 484-Gannon	SB 522-Koenig
SB 485-Gannon	SB 523-White
SB 486-Razer	SB 524-White
SB 487-Onder	SB 525-Arthur
SB 488-May	SB 526-Hegeman
SB 489-Roberts	SB 527-Hough
SB 490-Bernskoetter	SB 528-White
SB 491-Bernskoetter	SB 529-Cierpiot
SB 492-Brattin	SB 530-Crawford
SB 493-Gannon	SB 531-Schupp
SB 494-Eslinger	SB 532-Rehder
SB 495-Roberts	SB 533-Rehder
SB 497-Hough and Hegeman	SB 534-Rehder
SB 498-Hough	SB 535-Gannon
SB 499-Schupp	SB 536-Hough
SB 500-Schupp	SB 537-Burlison
SB 501-Wieland	SB 538-Burlison
SB 502-Moon	SB 539-Burlison
SB 503-Moon	SB 540-Burlison
SB 504-Rehder	SB 541-Brown
SB 505-Brattin	SB 542-Washington
SB 506-Bean	SB 543-Washington
SB 507-Bean	SB 544-Brattin
SB 508-Bean	SB 545-Williams
SB 509-Washington	SB 546-Crawford
SB 510-Brown	SB 547-Hoskins
SB 511-Hegeman	SB 548-Hoskins
SB 512-Hough	SB 549-Hoskins
SB 513-Hough	SB 550-Schupp
SB 514-Onder	SB 551-May
SB 515-Gannon	SB 552-May

SB 553-Gannon	SB 590-Brattin
SB 554-Eigel	SB 591-Roberts
SB 555-Hoskins	SB 592-Roberts
SB 556-Hoskins	SB 593-Roberts
SB 557-Hoskins	SB 594-Moon
SB 558-Brattin	SB 595-Moon
SB 559-Schatz	SB 596-Moon
SB 560-Schatz	SB 597-Moon
SB 561-Gannon	SB 598-O'Laughlin
SB 562-Schupp	SB 599-O'Laughlin
SB 563-Burlison	SB 600-O'Laughlin
SB 564-Rehder	SB 601-O'Laughlin
SB 565-Moon	SB 602-O'Laughlin
SB 566-Moon	SB 603-Koenig
SB 567-White	SB 604-Koenig
SB 568-White	SB 605-Koenig
SB 569-Arthur	SB 606-Burlison
SB 570-Hough	SB 607-Williams
SB 571-Schatz	SB 608-Razer
SB 572-Schatz	SB 609-Razer
SB 573-Schatz	SB 610-May
SB 574-Gannon	SB 611-May
SB 575-Bean	SB 612-May
SB 576-Mosley	SB 613-Crawford
SB 577-Riddle	SB 614-Crawford
SB 578-Riddle	SB 615-Eigel
SB 579-Rehder	SB 616-Eigel
SB 580-Rehder	SB 617-Eigel
SB 581-Eslinger	SB 618-Bernskoetter
SB 582-Eslinger	SB 619-Bernskoetter
SB 583-Eslinger	SB 620-Bernskoetter
SB 584-Eslinger	SB 621-Bernskoetter
SB 585-Eslinger	SB 622-Bernskoetter
SB 586-Brattin	SB 623-Hough
SB 587-Brattin	SB 624-Hough
SB 588-Brattin	SB 625-Hough
SB 589-Brattin	SB 626-Hough

SB 627-Hough
 SB 628-Brattin
 SB 629-Hoskins

SB 630-Hoskins
 SJR 28-Hegeman
 SJR 29-Burlison

HOUSE BILLS ON SECOND READING

HCS for HBs 85 & 310
 HCS for HB 350
 HB 153-Rone
 HCS for HB 574
 HB 476-Grier
 HCS for HB 271
 HCS for HB 362
 HCS for HB 59
 HCS for HBs 547 & 752

HCS for HB 334
 HB 345-DeGroot
 HCS for HB 527
 HCS for HB 349
 HCS for HB 548
 HB 139-Hudson
 HB 670-Houx
 HB 657-Trent

THIRD READING OF SENATE BILLS

SS for SCS for SB 27-Crawford
 SS for SB 64-Rehder
 SB 38-Bernskoetter

SS for SB 89-Wieland
 SS for SB 22-Koenig
 SS for SCS for SB 152-Hoskins

SENATE BILLS FOR PERFECTION

1. SB 24-Eigel
2. SB 47-Hough
3. SB 86-Hegeman
4. SB 100-Koenig, with SCS
5. SB 258-White
6. SB 63-Rehder
7. SB 262-Schatz, with SCS
8. SBs 53 & 60-Luetkemeyer, with SCS
9. SB 179-Luetkemeyer
10. SB 128-Brown
11. SB 6-Wieland

12. SB 106-Crawford, with SCS
13. SB 4-Wieland, with SCS
14. SB 9-Riddle
15. SBs 153 & 97-Koenig, with SCS
16. SB 91-Riddle, with SCS
17. SB 283-Hoskins
18. SB 119-Burlison, with SCS
19. SB 149-Onder
20. SJR 2-Onder, with SCS
21. SB 137-Brattin
22. SB 108-Cierpiot, with SCS

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| 23. SB 141-Bean | 29. SB 327-Koenig |
| 24. SB 163-Cierpiot | 30. SB 289-Brown, with SCS |
| 25. SB 40-Burlison, with SCS | 31. SB 176-Hough |
| 26. SB 301-Bernskoetter, with SCS | 32. SB 46-Hough |
| 27. SB 333-Burlison | 33. SB 3-Hegeman |
| 28. SB 120-White, with SCS | 34. SB 212-White |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---|
| SB 1-Hegeman | SBs 12, 20, 21, 31, 56, 67 & 68-Onder, with SCS,
SS for SCS & SA 5 (pending) |
| SB 7-Riddle, with SS & SA 1 (pending) | |
| SB 10-Schatz, with SS (pending) | SBs 55, 23 & 25-O'Laughlin, et al, with SCS &
SS for SCS (pending) |
| SB 11-Schatz | SB 123-Hough, with SS & SA 2 (pending) |

RESOLUTIONS

Reported from Committee

SCR 3-Roberts and Moon, with SCS

To be Referred

SCR 17-Eigel

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