

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SIXTH DAY—MONDAY, MARCH 22, 2021

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Trust in the Lord, and do good so you will live in the land and enjoy security.” (Psalm 37:3)

Gracious God, thank You for our safe travel here this day as we return refreshed and eager to do what we have been called to do. We thank You for the miracles and surprises that come our way showing us You are truly a God we can trust and delight in and learn from. Continue being with us this week and help us rejoice in what You have provided for each of 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 Journals for Thursday, March 11, 2021, and Thursday, March 18, 2021, were 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	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hoskins offered Senate Resolution No. 164, regarding the Bicentennial of the Santa Fe Trail,

which was adopted.

Senator Bean offered Senate Resolution No. 165, regarding Josiah McMinn, Arbyrd, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 166, regarding Quinten Ingram, Eldon, which was adopted.

Senator Crawford offered Senate Resolution No. 167, regarding Laci Thompson, Cole Camp, which was adopted.

Senator Brown offered Senate Resolution No. 168, regarding Rick Barnes, Rolla, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Riddle moved that **SB 91**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 91**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 91

An Act to repeal section 566.150, RSMo, and to enact in lieu thereof one new section relating to certain offenders of sex crimes, with existing penalty provisions.

Was taken up.

Senator Riddle moved that **SCS** for **SB 91** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **SB 91** was declared perfected and ordered printed.

Senator Hoskins moved that **SB 283** be taken up for perfection, which motion prevailed.

Senator Hoskins offered **SS** for **SB 283**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 283

An Act to repeal sections 311.070, 311.089, 311.096, 311.101, 311.174, 311.176, 311.178, 311.179, 311.200, 311.293, 311.480, 311.482, and 311.710, RSMo, and to enact in lieu thereof fifteen new sections relating to alcoholic beverages, with existing penalty provisions.

Senator Hoskins moved that **SS** for **SB 283** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 283, Page 35, Section 311.482, Line 37, by inserting after all of said line the following:

“311.620. 1. No person shall be appointed as agent, assistant, deputy or inspector under the provisions of the liquor control law who shall have been convicted of or against whom any indictment may be pending for any offense; nor shall any person be appointed as such agent, assistant, deputy or inspector who is not of good character or who is not a citizen of the United States, and who is not [or has not been] a resident taxpaying citizen of the state [for a period of three years previous to his] **at the time of his or her** appointment; or who is not able to read and write the English language or who does not possess ordinary physical strength and who is not able to pass such physical and mental examination as the [majority of a

board, consisting of the governor, lieutenant governor, attorney general, and the] supervisor of [liquor] **alcohol and tobacco** control may prescribe.

2. No agent, assistant, deputy or inspector so appointed shall hold any other commission or office, elective or appointive or accept any other employment compensation while he **or she** is an employee of the [department of liquor] **division of alcohol and tobacco** control, except with the written permission of the supervisor of [liquor] **alcohol and tobacco** control. No agent, assistant, deputy or inspector of the [department of liquor] **division of alcohol and tobacco** control shall accept any reward or gift other than his **or her** regular salary and expenses as provided in this chapter. No agent, assistant, deputy or inspector of the [department of liquor] **division of alcohol and tobacco** control shall perform any police duty connected with the conduct of any election, nor at any time or in any manner electioneer for or against any party ticket, or any candidate for nomination or office on any party ticket, nor for or against any proposition of any kind or nature to be voted upon at any election.

3. The agents, assistants, deputies and inspectors appointed under the provisions of section 311.610 shall before entering upon the discharge of their duties, each take and subscribe an oath to support the Constitution and laws of the United States and the State of Missouri and to faithfully demean themselves in office in the form prescribed by Section 11, Article VII of the Constitution of this State, and they shall each give bond to be approved by the supervisor of [liquor] **alcohol and tobacco** control for faithful performance of the duties of their respective offices and to safely keep and account for all moneys and property received by them. This bond shall be in the sum of five thousand dollars, and the cost of furnishing all such bonds shall be paid by the state.

4. Any agent, assistant, deputy or inspector of the [department of liquor] **division of alcohol and tobacco** control who shall violate the provisions of this chapter shall be immediately discharged.”; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 283, Page 13, Section 311.070, Line 383, by inserting after all of said line the following:

“(19) Wholesalers shall distribute consumer advertising specialties, equipment and supplies, nonrefrigeration dispensing accessories, permanent point-of-sale advertising materials, product display, promotion, and temporary point-of-sale advertising materials to their retailers in a fair and reasonable manner; and”; and

Further renumber the remaining subdivision accordingly.

Senator Bernskoetter moved that the above amendment be adopted, which motion prevailed.

Senator Hoskins offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 283, Page 27, Section 311.199, Lines 26-35, by striking all of said lines and inserting in lieu thereof the following:

“(2) To a licensed retailer by another licensed retailer if such intoxicating liquor was:

(a) Originally purchased from a wholesaler or distributor licensed by this state;

(b) Sold in the manufacturer’s original package;

(c) Sold to a retailer who retains a receipt of such purchase as proof that such liquor was purchased from a retailer licensed to make liquor sales in this state;

(d) Sold in an amount of no more than five cases of beer per week, no more than two-hundred and fifty-six ounces of liquor per week, or no more than twelve bottles of wine each containing no more than seven hundred and fifty milliliters of wine per week.”.

Senator Hoskins moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

Senator Burlison offered **SA 1 to SA 3:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Bill No. 283, Page 1, Line 13, by striking the word “week” and inserting in lieu thereof the following: **“month”**; and further amend line 14 by striking the word “week” and inserting in lieu thereof the following: **“month”**; and further amend line 16 by striking the word “week” and inserting in lieu thereof the following: **“month”**.

Senator Burlison moved that the above amendment be adopted, which motion prevailed.

Senator May offered **SA 2 to SA 3:**

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Bill No. 283, Page 1, Line 16, by inserting after the word “week.” the following:

“Any licensed retailer selling intoxicating liquor to another licensed retailer shall sell such intoxicating liquor in compliance with requirements for sales by wholesalers under this chapter.”.

Senator May moved that the above amendment be adopted, which motion failed.

Senator Hoskins moved that **SA 3**, as amended, be adopted, which motion prevailed.

Senator Schatz offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 283, Page 32, Section 311.293, Line 27, by inserting after all of said line the following:

“311.367. 1. The provisions of this section shall apply to all persons, firms, or corporations who own and operate more than one premises licensed to sell intoxicating liquor containing alcohol in excess of five percent by weight at retail.

2. Any person, firm, or corporation described in subsection 1 of this section, with the permission of the supervisor of alcohol and tobacco control, may designate one or more places in this state as a central warehouse to which intoxicating liquors ordered and purchased by a person, firm, or

corporation from licensed wholesalers in this state, upon mutual agreement between such wholesaler and person, firm, or corporation, may be delivered by licensed wholesalers in this state and at which intoxicating liquors so owned by a person, firm, or corporation may be stored.

3. Any person, firm, or corporation described in subsection 1 of this section who owns and stores intoxicating liquors in a central warehouse may transport or transfer all or any part of the intoxicating liquors so stored from the central warehouse in this state to any premises licensed to sell intoxicating liquors at retail which is owned and operated by the same person, firm, or corporation and which is located in the state; provided, however, beer and other intoxicating malt liquor are not transferred from the central warehouses to other retail licensed premises due to the perishability and limited life span of beer and intoxicating malt liquor, and due to the specific designated geographic areas for the beer and other intoxicating malt liquor wholesalers, which have been authorized by the brewers and approved by the supervisor of alcohol and tobacco control.”

Senator Schatz moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Schatz moved that **SA 4** be adopted, which motion failed on a standing division vote.

Senator Hough assumed the Chair.

Senator Hoskins moved that **SS** for **SB 283**, as amended, be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS** for **SB 283**, as amended, was declared perfected and ordered printed.

Senator Burlison moved that **SB 119**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 119**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 119

An Act to repeal sections 407.1095, 407.1098, 407.1101, and 407.1104, RSMo, and to enact in lieu thereof five new sections relating to telecommunication practices, with penalty provisions.

Was taken up.

Senator Burlison moved that **SCS** for **SB 119** be adopted, which motion prevailed.

On motion of Senator Burlison, **SCS** for **SB 119** was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR
STATE OF MISSOURI
March 22, 2021

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

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

Todd P. Graves, Republican, 8460 Highway E, Edgerton, Platte County, Missouri 64444, as a member of the University of Missouri Board

of Curators, for a term ending January 1, 2027, and until his successor is duly appointed and qualified; vice, Phillip H. Snowden, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 22, 2021

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

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

Keith A. Holloway, Republican, 2514 Saddle Ridge Lane, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2025, and until his successor is duly appointed and qualified; vice, David L. Steelman, term expired.

Respectfully submitted,
Michael L. Parson
Governor

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

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

March 18, 2021

The Honorable Dave Schatz
President Pro Tem
Missouri Senate
State Capitol, Room 326
Jefferson City, MO 65101
Dear Mr. President:

Attached are corrected messages from the House of Representatives for the following House Bills:

HCS HB 362 (February 18, 2021)

HCS HB 59 (February 22, 2021)

HB 657 (March 1, 2021)

HCS HB 784 (March 4, 2021)

HB 578 (March 8, 2021)

HB 257 (March 11, 2021)

HB 624 (March 11, 2021)

HCS HB 811 (March 11, 2021)

HB 948 (March 11, 2021)

HCS HB 495 (March 11, 2021)

Respectfully submitted,
/s/ Dana Rademan Miller
Chief Clerk

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 362**, entitled:

An Act to repeal sections 610.021 and 610.023, RSMo, and to enact in lieu thereof two new sections relating to the sunshine law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 59**, entitled:

An Act to amend chapters 578 and 590, RSMo, by adding thereto two new sections relating to protection of first responders, with penalty provisions and a delayed effective date to certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 657**, entitled:

An Act to repeal sections 610.020, 610.021, and 610.023, RSMo, and to enact in lieu thereof three new sections relating to the sunshine law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 784**, entitled:

An Act to repeal sections 8.010, 8.170, 8.172, 8.177, and 8.178, RSMo, and to enact in lieu thereof eight new sections relating to capitol security.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 578**, entitled:

An Act to repeal section 301.147, RSMo, and to enact in lieu thereof two new sections relating to biennial motor vehicle registrations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 257**, entitled:

An Act to repeal section 304.050, RSMo, and to enact in lieu thereof one new section relating to Head Start school buses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 624**, entitled:

An Act to repeal sections 160.2700, 160.2705, 166.400, 166.410, 166.415, 166.420, 166.425, 166.435, 166.440, 166.456, 166.502, and 209.610, RSMo, and to enact in lieu thereof fourteen new sections relating to educational opportunities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 811**, entitled:

An Act to repeal sections 169.070, 169.560, and 169.596, RSMo, and to enact in lieu thereof three new sections relating to teacher and school employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 948**, entitled:

An Act to repeal sections 135.305, 135.686, and 348.436, RSMo, and to enact in lieu thereof three new sections relating to tax credits for agricultural purposes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 495**, entitled:

An Act to repeal sections 191.1145, 191.1146, 334.108, and 376.1900, RSMo, and to enact in lieu thereof five new sections relating to telemedicine services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 850**, entitled:

An Act to repeal section 116.160, RSMo, and to enact in lieu thereof one new section relating to constitutional amendments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **SCS** for **SB 91**, 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.

INTRODUCTION OF GUESTS

Senator Williams introduced to the Senate, John Bowman, St. Louis.

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

SENATE CALENDAR

THIRTY-SEVENTH DAY—TUESDAY, MARCH 23, 2021

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 548

HB 139-Hudson

HB 670-Houx	HB 701-Black
HB 657-Trent	HB 624-Richey
HCS for HBs 1083, 1085, 1050, 1035, 1036, 873 & 1097	HCS for HB 685
HB 63-Pike	HB 660-O'Donnell
HCS for HB 357	HCS for HB 583
HCS for HB 784	HCS for HB 811
HB 52-Schnelting	HB 948-Francis
HB 578-Bromley	HCS for HB 495
HCS for HJR 35	HB 767-Roden
HCS for HJRs 20, 2, 9 & 27	HB 201-McGill
HB 249-Ruth	HCS for HB 292
HCS#2 for HB 75	HB 554-Eggleston
HB 138-Pietzman	HB 151-Shields
HB 257-Evans	HB 333-Simmons
	HB 850-Wiemann

THIRD READING OF SENATE BILLS

1. SCS for SB 91-Riddle

SENATE BILLS FOR PERFECTION

1. SB 149-Onder	17. SB 5-Wieland, with SCS
2. SJR 2-Onder, with SCS	18. SB 36-Bernskoetter
3. SB 137-Brattin	19. SB 57-May, with SCS
4. SB 108-Cierpiot, with SCS	20. SB 354-Hoskins, with SCS
5. SB 141-Bean	21. SB 126-Brown, with SCS
6. SB 163-Cierpiot	22. SB 287-Crawford
7. SB 40-Burlison, with SCS	23. SB 282-Hegeman, with SCS
8. SB 301-Bernskoetter, with SCS	24. SB 202-Cierpiot, with SCS
9. SB 333-Burlison	25. SB 44-White
10. SB 120-White, with SCS	26. SB 71-Gannon, with SCS
11. SB 327-Koenig	27. SB 254-Riddle, with SCS
12. SB 289-Brown, with SCS	28. SB 94-Onder
13. SB 176-Hough	29. SB 206-Arthur
14. SB 46-Hough	30. SB 138-Brattin, with SCS
15. SB 3-Hegeman	31. SB 78-Beck
16. SB 212-White	32. SB 74-Bean, with SCS

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| 33. SB 343-Brown | 48. SB 334-Bernskoetter |
| 34. SB 95-Onder, with SCS | 49. SB 96-Hoskins, with SCS |
| 35. SB 30-Cierpiot | 50. SB 183-O'Laughlin |
| 36. SB 134-O'Laughlin and Cierpiot | 51. SB 459-Brattin, with SCS |
| 37. SB 98-Hoskins, with SCS | 52. SB 198-Eigel, with SCS |
| 38. SB 360-Wieland, with SCS | 53. SJR 7-Eigel |
| 39. SB 45-Hough | 54. SB 114-Bernskoetter |
| 40. SB 65-Rehder, with SCS | 55. SB 316-Hough |
| 41. SB 253-Hegeman | 56. SB 372-Riddle |
| 42. SJR 12-Luetkemeyer | 57. SB 195-Koenig |
| 43. SB 131-Luetkemeyer | 58. SB 295-Crawford, with SCS |
| 44. SB 291-Brown | 59. SB 169-Burlison |
| 45. SB 306-Bernskoetter, with SCS | 60. SB 139-Bean |
| 46. SB 255-Riddle | 61. SB 204-Cierpiot, with SCS |
| 47. SB 404-Riddle | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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| SB 1-Hegeman | SB 47-Hough |
| SB 7-Riddle, with SS & SA 1 (pending) | SBs 53 & 60-Luetkemeyer, with SCS |
| SB 10-Schatz, with SS (pending) | SBs 55, 23 & 25-O'Laughlin, et al, with
SCS & SS for SCS (pending) |
| SB 11-Schatz | SB 63-Rehder |
| SBs 12, 20, 21, 31, 56, 67 & 68-Onder,
with SCS, SS for SCS & SA 5
(pending) | SB 100-Koenig, with SCS |
| SB 24-Eigel, with SS#2 (pending) | SB 123-Hough, with SS & SA 2 (pending) |
| | SB 179-Luetkemeyer |

CONSENT CALENDAR

Senate Bills

Reported 3/11

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|------------------------|--------------------------|
| SB 403-Onder, with SCS | SB 365-Wieland |
| SB 457-Rizzo, with SCS | SB 303-Gannon |
| SB 227-Arthur | SB 520-Roberts, with SCS |

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