

Journal of the Senate

SECOND REGULAR SESSION

FORTY-THIRD DAY—TUESDAY, APRIL 5, 2022

The Senate met pursuant to adjournment.

Senator Bean in the Chair.

The Reverend Carl Gauck offered the following prayer:

“I will give thanks to You, O Lord, with my whole heart;” (Psalm 9:1)

Gracious God, direct us into encounters that broaden our understanding of the human experience. Amplify our voices that are ignored or devalued so all may hear what You have encouraged us to share with one another. Break those barriers that prevent us from finding ways to work with one another and make a way for peace and collaboration among 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.

Photographers from KY3 were given permission to take pictures in the Senate Chamber.

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	Rizzo	Roberts	Rowden	Schatz	Schupp
Thompson Rehder	Washington	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 718, regarding Audrey Lemmons, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 719, regarding Malena Duncan, St. Charles, which was adopted.

Senator Wieland moved that **SR 593** be taken up for adoption, which motion prevailed.

On motion of Senator Wieland, **SR 593** was adopted.

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 No. 3** for **SCS** for **SB 758**, 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.

REFERRALS

President Pro Tem Schatz referred **SS No. 3** for **SCS** for **SB 758** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cierpiot, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1686**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Riddle, Chairman of the Committee on Professional Registration, Senator Burlison submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **HB 2149**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Burlison, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 1697**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bernskoetter assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **HCS** for **HB 1686** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HB 2162, introduced by Representative Deaton, entitled:

An Act to repeal section 196.1050, RSMo, and to enact in lieu thereof one new section relating to the opioid addiction treatment and recovery fund.

Was taken up by Senator Hegeman.

Senator Hegeman offered **SS** for **HB 2162**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2162**

An Act to repeal sections 195.206 and 196.1050, RSMo, and to enact in lieu thereof two new sections relating to opioid addiction treatment.

Senator Hegeman moved that **SS** for **HB 2162** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **HB 2162** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Moon	Mosley	O’Laughlin	Onder	Razer
Roberts	Rowden	Schatz	Schupp	Thompson Rehder	Washington	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senators

Luetkemeyer	May	Rizzo—3
-------------	-----	---------

Absent with leave—Senator Riddle—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Koenig, **SB 931**, with **SCS**, was placed on the Informal Calendar.

Senator Cierpiot moved that **SJR 46** be taken up for perfection, which motion prevailed.

On motion of Senator Cierpiot, **SJR 46** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for HB 1720, with **SCS**, entitled:

An Act to repeal sections 60.301, 60.315, 60.345, 135.305, 135.686, 266.355, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof fourteen new sections relating to agricultural economic opportunities, with an emergency clause.

Was taken up by Senator Bean.

SCS for HCS for HB 1720, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1720

An Act to repeal sections 60.301, 60.315, 60.345, 135.305, 135.686, 266.355, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof twenty-three new sections relating to agricultural economic opportunities, with an emergency clause for certain sections.

Was taken up.

Senator Bean moved that **SCS for HCS for HB 1720** be adopted.

Senator Bean offered **SS for SCS for HCS for HB 1720**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1720

An Act to repeal sections 60.301, 60.315, 60.345, 135.305, 135.686, 144.030, 266.355, 301.010, 301.062, 304.180, 304.240, 348.436, 348.500, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof thirty-three new sections relating to agricultural economic opportunities, with an existing penalty provision and an emergency clause for certain sections.

Senator Bean moved that **SS for SCS for HCS for HB 1720** be adopted.

Senator Thompson Rehder assumed the Chair.

Senator White offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 45, Section 260.221, Line 23, by inserting immediately after “stream” the following: “, **and shall not be used for such purposes below surface level and closer than fifty feet above the water table**”; and

Further amend said bill, page 109, section 644.060, line 10, by inserting immediately after “stream” the following: “, **and shall not be used for such purposes below surface level and closer than fifty feet above the water table**”.

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

Senator Beck offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 45, Section 260.221, Line 22, by striking “one” and inserting in lieu thereof the following: “**five**”; and

Further amend said bill, page 109, section 644.060, line 9, by striking “one” and inserting in lieu thereof the following: “**five**”.

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

Senator Koenig offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 89, Section 620.3520, Line 34, by striking the word “may” and inserting in lieu thereof the following: “**shall**”.

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

Senator Crawford offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 25, Section 135.1610, Line 86, by inserting after all of said line the following:

“137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) “Eligible expenses”, expenses incurred in this state to manufacture, maintain, or improve a freight

line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under **subsection 4 of** this section shall expire on August 28, [2020] **2028**; and

(2) **Subsection 4 of** this section shall terminate on September 1, [2021] **2029**."; and

Further amend the title and enacting clause accordingly.

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

Senator Bernskoetter offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 81, Section 620.3505, Line 48, by striking "and"; and further amend line 50, by inserting after "state" the following: "**;** and

(c) Does not employ any individual who is unlawfully present in this country".

Senator Bernskoetter moved that the above amendment be adopted.

Senator Brown offered **SA 1 to SA 5**:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 5

Amend Senate Amendment No. 5 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 1, Line 4, by inserting immediately after "not" the following: "**knowingly**".

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

Senator Bernskoetter moved that **SA 5**, as amended, be adopted, which motion prevailed.

Senator Bernskoetter offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 84, Section 620.3505, Lines 125-127, by striking all of said lines and inserting in lieu thereof the following: “**(16) “Rural area”, any county of this state that is a rural county as defined by the United States Department of Agriculture;**”.

Senator Bernskoetter moved that the above amendment adopted.

Senator Hoskins offered **SA 1 to SA 6**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 6

Amend Senate Amendment No. 6 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 1, Lines 4-5, by striking said lines and inserting in lieu thereof the following: “**that has a population of less than seventy-nine thousand inhabitants according to the 2020 decennial census of the United States;**”.

Senator Hoskins moved that the above amendment be adopted.

Senator Hough assumed the Chair.

At the request of Senator Bernskoetter, **SA 6** was withdrawn, rendering **SA 1 to SA 6** moot.

Senator Bernskoetter offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1720, Page 84, Section 620.3505, Lines 125-127, by striking all of said lines and inserting in lieu thereof the following:

“**(16) “Rural area”, any area of this state that is set out in the United States Department of Agriculture census places map as published by the United States Department of Agriculture with a census place population of less than fifty thousand inhabitants;**”.

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

Senator Bean moved that **SS for SCS for HCS for HB 1720**, as amended, be adopted, which motion prevailed.

Senator Bean moved that **SS for SCS for HCS for HB 1720**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Schatz referred **SS for SCS for HCS for HB 1720** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2127—Judiciary and Civil and Criminal Jurisprudence.

HB 2387—Agriculture, Food Production and Outdoor Resources.

HCS for HB 2000—Progress and Development.

HCS for HB 2485—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 2627—Progress and Development.

HCS for HB 1662—Local Government and Elections.

HCS for HB 2462—Health and Pensions.

HB 2400—Insurance and Banking.

HB 2416—Transportation, Infrastructure, and Public Safety.

HCS for HB 2151—Seniors, Families, Veterans & Military Affairs.

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 **SJR 46**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SJR 46** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Washington offered Senate Resolution No. 720, regarding the death of Elizabeth “Betty” Ross Coleman, Kansas City, which was adopted.

Senator Schupp offered Senate Resolution No. 721, regarding the Fiftieth Wedding Anniversary of Sri Herawati “Hera” Hersubeno and Eric Alan “Al” Gerber, Town and Country, which was adopted.

Senator Schupp offered Senate Resolution No. 722, regarding Julie Ryterski, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 723, regarding Elizabeth Burton, Maryland Heights, which was adopted.

Senator Schupp offered Senate Resolution No. 724, regarding Sandra Cisowska, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 725, regarding Rachel McCormick, Maryland Heights, which was adopted.

Senator Schatz offered Senate Resolution No. 726, regarding Erin Briggs, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 727, regarding Danielle Malt, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 728, regarding Joise Bielecki, Eureka, which was adopted.

Senator Schatz offered Senate Resolution No. 729, regarding Mia Lorenne Kreissler, Chesterfield, which was adopted.

Senator Williams offered Senate Resolution No. 730, regarding Artavia Jones, St. Louis, which was adopted.

Senator Eigel offered Senate Resolution No. 731, regarding Susan Parker, St. Louis, which was adopted.

INTRODUCTION OF GUESTS

Senator Hoskins introduced to the Senate, Firefighters, Eric Reeter; Zach Parker; Rob Williams; and Ed Daugherty.

Senator White introduced to the Senate, former Senator, Ron Richard; T. Mark Elliot; Lily McCaw; her mom, Hilary; and Linda Uslemann.

Senator Thompson Rehder introduced to the Senate, Pastor Brian Davis; his Wife, Amy; and their children, Perryville.

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

SENATE CALENDAR

FORTY-FOURTH DAY—WEDNESDAY, APRIL 6, 2022

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 649-Eigel
(In Fiscal Oversight)

SS#2 for SB 823-White

SS for SCS for SB 783-Eslinger
(In Fiscal Oversight)

SS for SCS for SB 725-Hegeman

SS for SB 690-Thompson Rehder

SS#3 for SCS for SB 758-Hough
(In Fiscal Oversight)

SJR 46-Cierpiot (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 756-White, with SCS

2. SB 968-Burlison, with SCS

3. SBs 777 & 808-Brattin, with SCS

4. SB 683-O'Laughlin, with SCS

- | | |
|-------------------------------|-------------------------------|
| 5. SB 997-Bernskoetter | 14. SB 918-Burlison, with SCS |
| 6. SB 650-Eigel | 15. SB 984-Hegeman |
| 7. SB 723-Hegeman | 16. SB 671-White, with SCS |
| 8. SB 1153-Eslinger, with SCS | 17. SB 741-Crawford, with SCS |
| 9. SB 864-Hoskins, with SCS | 18. SB 674-Hough, with SCS |
| 10. SB 867-Koenig, with SCS | 19. SB 987-Bean |
| 11. SB 654-Crawford, with SCS | 20. SB 713-Razer, with SCS |
| 12. SB 812-Eigel | 21. SB 781-Moon, with SCS |
| 13. SB 742-Crawford | |

HOUSE BILLS ON THIRD READING

- | | |
|------------------------------------|----------------------------|
| HCS for HB 1552, with SCS (Koenig) | HB 2149-Shields (Eslinger) |
| HCS for HB 1686 (Brown) | HB 1697-Baker (Burlison) |
| (In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 631-Hegeman, with SCS | SB 761-Brown, with SS & SA 2 (pending) |
| SB 648-Rowden | SB 762-Brown, with SS & SA 4 (pending) |
| SB 657-Cierpiot, with SS (pending) | SB 798-Mosley, with SA 1 & SA 1 to SA 1
(pending) |
| SB 663-Bernskoetter, with SCS | SB 850-Bean, with SCS & SS for SCS
(pending) |
| SB 664-Bernskoetter | SB 869-Koenig, with SS (pending) |
| SB 665-Bernskoetter, with SS (pending) | SB 931-Koenig, with SCS |
| SB 667-Burlison, with SS (pending) | SB 938-White, with SCS & SS for SCS
(pending) |
| SBs 698 & 639-Gannon, et al, with SCS,
SA 1 & SA 1 to SA 1 (pending) | SJR 39-Luetkemeyer |
| SBs 702, 636, 651, & 693-Eslinger,
with SCS | SJR 41-Roberts and Mosley |
| SB 726-Onder, with SS & SA 6 (pending) | |
| SB 732-Hoskins, with SCS | |

HOUSE BILLS ON THIRD READING

- SS for SCS for HCS for HB 1720 (Bean)
(In Fiscal Oversight)

CONSENT CALENDAR

Senate Bills

Reported 2/24

SB 845-Eslinger

Reported 3/10

SB 718-Washington and Mosley

SB 982-Arthur, with SCS

SB 908-Koenig, with SCS

SB 886-Luetkemeyer, with SCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 2117, with SS#2, as amended (Bernskoetter)

(House requests Senate recede or grant conference)

RESOLUTIONS

SR 435-Schatz

SR 468-Hoskins

SR 448-Eigel

SR 469-Hoskins

SR 453-Eigel

SR 472-White

SR 466-Eigel

SR 496-Hoskins

SR 467-Eigel

HCR 52-Plocher (Rowden)

Reported from Committee

SCR 24-Roberts

SCR 33-Bean

SCR 27-May

SCR 34-White

SCR 28-White

SCR 36-Bernskoetter

SCR 29-Hegeman

SR 594-Bernskoetter and Schupp

SCR 31-Bean

✓