

# Journal of the Senate

SECOND REGULAR SESSION

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**FIFTY-FIRST DAY—WEDNESDAY, APRIL 20, 2022**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

Surprising God, You continue to offer us endless ways for us to delight in Your grace. We pray that this body may have a sense of joy and wonder in exploring new ways to improve the lives of the people of this state. Empower us to work together so that we have a sense of ownership in all that comes forth from this body and ask that we may be inspired to make helpful and needed decisions together. 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	Thompson Rehder	Washington	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Schupp offered Senate Resolution No. 825, regarding Sophia Liu, Creve Coeur, which was adopted.

Senator Thompson Rehder offered Senate Resolution No. 826, regarding Megan Olivia Buchheit, Perryville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 827, regarding Sara Montalbano, Parkville, which was adopted.

Senator Crawford offered Senate Resolution No. 828, regarding Carol Ann Johnson, Elkland, which was adopted.

Senator Hoskins offered Senate Resolution No. 829, regarding the Wellington-Napoleon Lady Tigers basketball team, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 830, regarding Anthony “Tony” Stephen Forck, Taos, which was adopted.

President Pro Tem Schatz assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HBs 2502** and **2556**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HJR 117**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schupp, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 2627**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS** for **HB 1606**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator White, Chairman of the Committee on Seniors, Families, Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Seniors, Families, Veterans and Military Affairs, to which was referred **SJR 52** and **SJR 53**, begs leave to report that it has considered the same and recommends that the

joint resolutions do pass. Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families, Veterans and Military Affairs, to which was referred **SB 839**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator O’Laughlin, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS for HB 2304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1856**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS for HB 1462**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 1667**, begs leave to report that it has considered the same and recommends that the bill do pass.

**HOUSE BILLS ON THIRD READING**

Senator Koenig moved that **SS for SCS for HCS for HB 1552** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS for SCS for HCS for HB 1552** 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	Luetkemeyer	May	Moon	O’Laughlin	Onder
Razer	Rizzo	Roberts	Rowden	Schatz	Thompson Rehder	White

Wieland—29

NAYS—Senators

Mosley	Riddle	Schupp	Washington	Williams—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### THIRD READING OF SENATE BILLS

**SS for SCS for SB 931**, introduced by Senator Koenig, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 931

An Act to repeal sections 44.032, 130.029, 143.081, 143.121, 347.020, 347.143, 347.179, 347.183, 347.186, 358.460, 358.470, 431.202, and 620.1039, RSMo, and to enact in lieu thereof nineteen new sections relating to corporations, with penalty provisions.

Was taken up.

On motion of Senator Koenig, **SS for SCS for SB 931** was read the 3rd time and passed by the following vote:

#### YEAS—Senators

Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot	Crawford
Eigel	Eslinger	Gannon	Hegeman	Hoskins	Hough	Koenig
Luetkemeyer	Moon	O’Laughlin	Onder	Riddle	Rowden	Schatz
Thompson Rehder	White	Wieland—24				

#### NAYS—Senators

Arthur	Beck	May	Mosley	Razer	Rizzo	Roberts
Schupp	Washington	Williams—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**SJR 39**, introduced by Senator Luetkemeyer, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(b) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property

tax assessments.

Was taken up.

On motion of Senator Luetkemeyer, **SJR 39** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Crawford	Eigel	Gannon	Hegeman	Hoskins	Hough	Koenig
Luetkemeyer	Moon	O’Laughlin	Onder	Razer	Riddle	Rizzo
Roberts	Rowden	Schatz	Thompson Rehder	White	Wieland—27	

NAYS—Senators

Beck	Eslinger	May	Mosley	Schupp	Washington	Williams—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Luetkemeyer, title to the joint resolution was agreed to.

Senator Luetkemeyer moved that the vote by which the joint resolution passed be reconsidered.

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

**SS** for **SCS** for **SB 683**, introduced by Senator O’Laughlin, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 683

An Act to repeal sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.199, 210.201, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.252, 210.254, 210.255, 210.256, 210.258, 210.275, 210.278, 210.305, 210.565, 210.1007, and 210.1080, RSMo, and to enact in lieu thereof of thirty-four new sections relating to child care, with penalty provisions and an emergency clause for a certain section.

Was taken up.

On motion of Senator O’Laughlin, **SS** for **SCS** for **SB 683** 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	Hough
Koenig	Luetkemeyer	May	Mosley	O’Laughlin	Onder	Razer
Riddle	Rizzo	Roberts	Rowden	Schatz	Schupp	Thompson Rehder

Washington          White                  Wieland              Williams—32

NAYS—Senator Moon—1

Absent—Senator Hoskins—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators

Moon	Rizzo	Schupp—3
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Absent—Senator Hoskins—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator O’Laughlin, title to the bill was agreed to.

Senator O’Laughlin moved that the vote by which the bill passed be reconsidered.

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

**SS for SJR 41**, introduced by Senator Roberts, entitled:

SENATE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 41

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to property tax assessments for certain seniors.

Was taken up.

On motion of Senator Roberts, **SS for SJR 41** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Crawford	Eigel	Eslinger	Gannon	Hough	Koenig	Luetkemeyer

May	Moon	Mosley	O’Laughlin	Onder	Razer	Rizzo
Roberts	Rowden	Schatz	Thompson Rehder	Washington	White	Wieland
Williams—29						

NAYS—Senators

Hegeman	Schupp—2
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Absent—Senators

Beck	Hoskins	Riddle—3
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Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Roberts, title to the joint resolution was agreed to.

Senator Roberts moved that the vote by which the joint resolution passed be reconsidered.

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

Senator Hough assumed the Chair.

**SS No. 2 for SCS for SB 968**, introduced by Senator Burlison, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 968

An Act to repeal sections 44.032, 130.029, 143.081, 431.202, and 454.1005, RSMo, and to enact in lieu thereof ten new sections relating to business entities.

Was taken up.

On motion of Senator Burlison, **SS No. 2 for SCS for SB 968** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bean	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel
Eslinger	Gannon	Hegeman	Hough	Koenig	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Roberts	Rowden	Schatz	Thompson Rehder
White	Wieland—23					

NAYS—Senators

Arthur	Beck	Moon	Mosley	Razer	Rizzo	Schupp
Washington	Williams—9					

Absent—Senators

Brattin	Hoskins—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**SS No. 2** for **SB 761**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 761

An Act to repeal sections 476.055 and 610.021, RSMo, and to enact in lieu thereof four new sections relating to access to public records, with penalty provisions.

Was taken up.

On motion of Senator Brown, **SS No. 2** for **SB 761** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brown	Burlison	Cierpiot
Crawford	Eigel	Eslinger	Gannon	Hegeman	Hough	Koenig
Luetkemeyer	May	O'Laughlin	Onder	Razer	Riddle	Rizzo
Roberts	Rowden	Schatz	Thompson Rehder	White	Wieland—27	

NAYS—Senators

Moon	Mosley	Schupp	Washington	Williams—5
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Absent—Senators

Brattin	Hoskins—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HOUSE BILLS ON THIRD READING**

**HB 1697**, introduced by Representative Baker, entitled:

An Act to repeal section 196.298, RSMo, and to enact in lieu thereof one new section relating to cottage



foods production operations.

Was taken up by Senator Burlison.

On motion of Senator Burlison, **HB 1697** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Eigel	Eslinger	Gannon	Hegeman	Hoskins	Hough
Koenig	May	Moon	Mosley	O’Laughlin	Onder	Riddle
Rizzo	Rowden	Schatz	Schupp	Thompson Rehder	Washington	White
Wieland—29						

NAYS—Senator Razer—1

Absent—Senators

Crawford	Luetkemeyer	Roberts	Williams—4
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

Senator Burlison 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 Eslinger, **SB 1153**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Hoskins, **SB 864**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Koenig, **SB 867**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Crawford, **SB 654**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Eigel, **SB 812** was placed on the Informal Calendar.

Senator Crawford moved that **SB 742** be taken up for perfection, which motion prevailed.

Senator Crawford offered **SS** for **SB 742**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 742

An Act to repeal sections 288.132, 303.025, 303.041, 319.129, 375.159, 376.380, and 379.011, RSMo, and to enact in lieu thereof thirteen new sections relating to insurance, with penalty provisions.

Senator Crawford moved that **SS** for **SB 742** be adopted, which motion prevailed.

Senator Eslinger assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 742, Page 78, Section 376.380, Line 1233, by inserting after all of said line the following:

**“376.1240. 1. For purposes of this section, terms shall have the same meanings as ascribed to them in section 376.1350, and the term “prescription contraceptive” shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.**

**2. Any health benefit plan delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2023, that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for the dispensing of a supply of prescription contraceptives intended to last up to one year.**

**3. The coverage required under this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.”; and**

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Crawford moved that **SS** for **SB 742** be adopted, which motion prevailed.

On motion of Senator Crawford, **SS** for **SB 742** was declared perfected and ordered printed.

Senator Burlison moved that **SB 918**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 918**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 918

An Act to repeal sections 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof four new sections relating to the department of natural resources.

Was taken up.

Senator Burlison moved that **SCS** for **SB 918** be adopted.

Senator Bernskoetter assumed the Chair.

President Pro Tem Schatz assumed the Chair.

Senator Burlison offered **SS** for **SCS** for **SB 918**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 918

An Act to repeal sections 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof seven new sections relating to environmental regulation.

Senator Burlison moved that **SS** for **SCS** for **SB 918** be adopted.

Senator Beck offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 2, Section 260.221, Line 22, by striking “one” and inserting in lieu thereof the following: “**three**”; and

Further amend said bill, section 644.060, page 8, line 9, by striking “one” and inserting in lieu thereof the following: “**three**”.

Senator Beck moved that the above amendment be adopted.

President Kehoe assumed the Chair.

At request of Senator Burlison **SB 918**, with **SCS, SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Hegeman moved that **SB 984** be taken up for perfection, which motion prevailed.

Senator Koenig offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 984, Page 1, Section A, Line 3, by inserting after all of said line the following:

“99.847. 1. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, for all years ending on or before December 31, 2021, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants, unless the redevelopment area actually abuts a river or a major waterway and is substantially surrounded by contiguous properties with residential, industrial, or commercial zoning classifications. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, for all years beginning on or after January 1, 2022, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency, **or was designated as flood plain by the Federal Emergency Management Agency but due to flood resiliency measures and flood resiliency projects under section 256.800 such area is no longer designated as flood plain by the Federal Emergency Management Agency**, unless such project is located in:

(1) A county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(2) A county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

(3) A county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;

(4) A county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants as the county seat;

(5) A home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants;

(6) A home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants;

(7) A home rule city with more than seventeen thousand but fewer than nineteen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than twenty-six thousand but fewer than twenty-nine thousand inhabitants;

(8) A home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants;

(9) A port district created under the provisions of chapter 68, provided that such financing is exclusively utilized to fund a port infrastructure project that is approved by the port authority; or

(10) A levee district created pursuant to chapter 245 or a drainage district created pursuant to chapter 242 or 243 prior to August 28, 2021.

2. This section shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow such tax increment financing projects to modify, amend, or expand such projects, including redevelopment project costs, by not more than forty percent of such project original projected cost, including redevelopment project costs, as such projects, including redevelopment project costs, existed as of June 30, 2003, and shall allow such tax increment financing district to modify, amend, or expand such districts by not more than five percent as such districts existed as of June 30, 2003.

3. The provisions of subsections 1 and 2 of this section notwithstanding, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, unless the redevelopment area actually abuts a river or a major waterway and is substantially surrounded by contiguous properties with residential, industrial, or commercial zoning classifications.”; and

Further amend the title and enacting clause accordingly.

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

Senator Eigel offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Bill No. 984, Page 1, In the Title, Line 2, by striking “flood resiliency” and inserting in lieu thereof the following: “environmental protection”; and

Further amend said bill, page 4, section 256.800, line 90, by inserting after all of said line the following:

**“260.221. 1. As used in this section, the following terms mean:**

**(1) “Processed recycled asphalt shingles”, recycled asphalt shingles that do not contain extraneous metals, glass, rubber, nails, soil, brick, tars, paper, wood, and plastics and that have been reduced in size to produce a commercially reasonable usable product. “Processed recycled asphalt shingles” shall also be considered clean fill, as such term is defined in section 260.200;**

(2) “Recycled asphalt shingles”, manufacture waste scrap shingles and post-consumer, tear-off scrap shingles that are accumulated as products for commercial purposes related to recycling or reuse as processed recycled asphalt shingles.

2. Processed recycled asphalt shingles may be used for fill, reclamation, and other beneficial purposes without a permit under sections 260.200 to 260.345 if such processed recycled asphalt shingles are inspected for toxic and hazardous substances in accordance with requirements established by the department of natural resources, provided that processed recycled asphalt shingles shall not be used for such purposes within five hundred feet of any lake, river, sink hole, perennial stream, or ephemeral stream, and shall not be used for such purposes below surface level and closer than fifty feet above the water table.

3. This section shall not be construed to authorize the abandonment, accumulation, placement, or storage of recycled asphalt shingles or processed recycled asphalt shingles on any real property without the consent of the real property owner.

**644.060. 1.** Processed recycled asphalt shingles, as defined in section 260.221, may be used for fill, reclamation, and other beneficial purposes without a permit under sections 644.006 to 644.141 if such processed recycled asphalt shingles are inspected for toxic and hazardous substances in accordance with requirements established by the department of natural resources, provided that processed recycled asphalt shingles shall not be used for such purposes within five hundred feet of any lake, river, sink hole, perennial stream, or ephemeral stream, and shall not be used for such purposes below surface level and closer than fifty feet above the water table.

2. This section shall not be construed to authorize the abandonment, accumulation, placement, or storage of recycled asphalt shingles or processed recycled asphalt shingles on any real property without the consent of the real property owner.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schupp offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 984, Page 1, Section A, Line 3, by inserting after all of said line the following:

**“160.077. 1. This section shall be known and may be cited as the “Get the Lead Out of School Drinking Water Act”.**

**2. As used in this section, the following terms mean:**

**(1) “Commission”, the safe drinking water commission established under section 640.105;**

**(2) “Disadvantaged school district”, any school district that serves students from a county in which at least twenty-five percent of the households in such county are below the federal poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. Section 9902(2), as amended, or any school district in which more than seventy percent of students in the district qualify for a free or reduced price lunch under the federal Richard B. Russell National School Lunch Act, 42 U.S.C. Section 1751 et seq.;**

**(3) “Drinking water outlet”, a potable water fixture that is used for drinking or food preparation. “Drinking water outlet” includes, but is not limited to:**

**(a) A water fountain, faucet, or tap that is used or potentially used for drinking or food preparation; and**

**(b) Ice-making and hot drink machines;**

**(4) “First draw”, a two-hundred-fifty-milliliter sample immediately collected from a drinking water outlet that has been turned on after a stagnation period of at least eight hours;**

**(5) “NSF/ANSI 53-2017”, the standard for drinking water treatment systems that are designed to reduce specific health-related contaminants in water supplies that is published by NSF International/ANSI with the title “Drinking Water Treatment Units - Health Effects”, or any more stringent subsequent standard;**

**(6) “Parent”, a parent, guardian, or other person having control or custody of a child;**

**(7) “Private school”, the same definition as in section 166.700;**

**(8) “Public school”, the same definition as in section 160.011;**

**(9) “Remediation”, decreasing the lead concentration in water from a drinking water outlet to less than one part per billion without relying solely on flushing practices, or using methods such as the replacement of lead-containing pipes, solder, fittings, or fixtures with lead-free components. Flushing as a stand alone action shall not be considered remediation;**

**(10) “School”, any public school, private school, or provider of an early childhood education program that receives state funding.**

**3. Beginning in the 2023-2024 school year and for each subsequent school year, each school shall provide drinking water with a lead concentration level below the American Academy of Pediatrics’ recommended maximum level for schools of one part per billion in sufficient amounts to meet the drinking water needs of all students and staff as provided in this section.**

**4. (1) Before January 1, 2024, each school shall:**

**(a) Conduct an inventory of all drinking water outlets and nonpotable water fixtures in each of the school’s buildings;**

**(b) Remove any drinking watercoolers that the United States Environmental Protection Agency has determined are not lead-free under the federal Lead Contamination Control Act of 1988, as amended;**

**(c) Install a filter that reduces lead in drinking water on each drinking water outlet, maintain such filters to ensure that lead concentration levels are below one part per billion, and replace such filters at least as frequently as provided for in the manufacturer’s instructions. This paragraph shall apply only to schools with drinking water determined to have a lead concentration level above the American Academy of Pediatrics’ recommended maximum level for schools of one part per billion; and**

**(d) Upon request, provide general information on the health effects of lead contamination and additional informational resources for employees and parents of children at each school.**

**(2) Each school shall make buildings housing early childhood education programs, kindergartens, and elementary schools the priority when complying with paragraphs (a) to (c) of subdivision (1) of this subsection.**

**(3) Filters described in paragraph (c) of subdivision (1) of this subsection and any replacement filters shall be certified as compliant with NSF/ANSI 53-2017 and shall incorporate an integral performance indication device as specified in section 6.1 of NSF/ANSI 53-2017.**

**(4) Each school shall provide sufficient filtered water to meet the drinking water needs of all students and staff.**

**(5) Within sixty days after filters are installed as required under paragraph (c) of subdivision (1) of this subsection and annually thereafter, each school shall conduct testing for lead by first-draw and follow-up flush samples of a random sampling of at least twenty-five percent of remediated drinking water outlets until all remediated sources have been tested as recommended by the 2018 version of the United States Environmental Protection Agency's "Training, Testing, and Taking Action" program. The testing shall be conducted and the results analyzed for both types of tests by an entity or entities approved by the department.**

**(6) Within two weeks after receiving test results, each school shall make all testing results and any lead remediation plans available on the school's website.**

**(7) School districts shall submit such annual testing results to the commission.**

**(8) This subsection shall not be construed to prevent a school from conducting more frequent testing than required under this section.**

**5. (1) If a first draw sample shows a lead concentration of one part per billion or greater, the affected school shall:**

**(a) Within one business day after receiving the test result, shut off the drinking water outlet;**

**(b) Provide bottled water if there is not enough water to meet the drinking water needs of the students, teachers, and staff; and**

**(c) Within thirty days after receiving the test result, determine interim remediation steps to implement to address the elevated lead concentration level. Such steps shall be posted to the school website.**

**(2) If a pipe, solder, fitting, or fixture is replaced as part of remediation, the replacement shall be lead-free, as such term is defined in 40 CFR 143.12, as amended.**

**(3) If a test result exceeds one part per billion, the affected school shall contact parents and staff via written notification within seven business days after receiving the test result. The notification shall include at least:**

**(a) The test results and a summary that explains such results;**

**(b) A description of any remedial steps taken; and**

**(c) A description of general health effects of lead contamination and community specific resources.**

**(4) If, in the ten years prior to the 2023-2024 school year a fixture tested above one part per billion for lead, such fixture does not need to be repeat tested for lead, but instead remediation shall begin on such fixture.**

**6. (1) In addition to the apportionments payable to a school district under chapter 163, the department of natural resources is hereby authorized to apportion to any school additional funding for the filtration, testing, and other remediation of drinking water systems required under this section, subject to appropriation.**

**(2) To the extent permitted by federal law, a school district may seek reimbursement or other funds for compliance incurred under this section under any applicable federal law including, but not limited to, America’s Water Infrastructure Act of 2018 and the Water Infrastructure Finance and Innovation Act of 2014, 33 U.S.C. Section 3901 et seq.**

**(3) Disadvantaged school districts shall receive funding priority under this subsection.**

**7. The commission, in conjunction with the department of elementary and secondary education, shall publish a report biennially based on the findings from the water testing conducted under this section. Such report shall be sent to the governor and the joint committee on education and shall be made available on the website of the commission.**

**8. The commission shall:**

**(1) On or before July 1, 2023, provide guidance to schools regarding the maintenance of filters and filtration systems and the development and implementation of flushing plans. Such guidance shall include recommendations for flushing after stagnant times including, but not limited to, the morning of each school day and after weekends, school holidays, and summer break. Flushing plans shall include details for flushing the incoming water line and the filter; and**

**(2) On or before July 1, 2023, create an online program to provide training for custodial staff on the maintenance of filters and filtration systems and on the implementation of flushing plans, emphasizing that proper maintenance is critical to improved drinking water quality and safety.**

**9. (1) For public schools, the commission shall ensure compliance with this section. Each school district shall be responsible for ensuring compliance within each school within the school district’s jurisdiction.**

**(2) The commission shall have the authority to enter a school building governed by this section to determine compliance with this section.**

**10. No school building constructed after January 4, 2014, as provided in the federal Reduction of Lead in Drinking Water Act (42 U.S.C. Section 300g-6), as amended, shall be required to install, maintain, or replace filters under paragraph (c) of subdivision (1) of subsection 4 of this section.**

**11. A school that tests and does not find a drinking water source with a lead concentration above the acceptable level as defined in subsection 3 of this section shall be required to test only every five years.**

**12. The commission may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is**



**subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Moon raised the point of order that the above amendments are out of order as they go beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

On motion of Senator Hegeman, **SB 984**, as amended, was declared perfected and ordered printed.

### **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 **SB 742**, 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.

Senator O’Laughlin assumed the Chair.

### **REFERRALS**

President Pro Tem Schatz referred **SS** for **SB 742** to the Committee on Governmental Accountability and Fiscal Oversight.

### **RESOLUTIONS**

Senator Thompson Rehder offered Senate Resolution No. 831, regarding the One Hundredth Anniversary of the Cape Girardeau Public Library, which was adopted.

Senator White offered Senate Resolution No. 832, regarding the Ninetieth Anniversary of the Carthage Chamber of Commerce, which was adopted.

Senator White offered Senate Resolution No. 833, regarding Thomas Booker, Rolla, which was adopted.

### **INTRODUCTION OF GUESTS**

Senator Beck introduced to the Senate, his wife, Marilyn; his granddaughter, Isla Dirnberger; Jeanette Schoenberg; and Otto Schoenberg; and Isla and Otto were made honorary pages.

Senator Brown introduced to the Senate, his mother, Kathy Brown; and Joyce Calhoun, Rolla.

Senator Bernskoetter introduced to the Senate, Lincoln University president, Dr. John Moseley; Mark Schleer; Dr. Ithaca Bryant; and Dr. Kevin Wilson.

Senator White introduced to the Senate, Diamond and Neosho school district FFA; Mauri Renfor; Brian Nelson; and Jennifer Thogmartin, Newton County.

Senator Crawford introduced to the Senate, Lebanon High School Lady Jackets wrestling team.

Senator Moon introduced to the Senate, Patrick Holt; Hannah Gailey; and Chris Paget, Forsyth.

Senator Arthur introduced to the Senate, Bill Skaggs, Kansas City.

Senator Burlison introduced to the Senate, Barry Watts; and Kelly Watts, Rogersville; and Ozark High School FFA.

Senator Bean introduced to the Senate, Sherry Maxwell, Charleston; and East Prairie FFA.

Senator May introduced to the Senate, Nicolas Vescovo; Peter Vescovo; Jillian Vescovo, Robert Vescovo; and William Vescovo.

Senator Roberts introduced to the Senate, Sigma Phi Epsilon Fraternity, Jack Shimanek; Kyle Baker; Jayden Reyes; Daniel Austin; Nick Roehm; Jacob Rush; Grant Green; Greg Pierson; and Alex Boren.

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

### SENATE CALENDAR

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FIFTY-SECOND DAY—THURSDAY, APRIL 21, 2022

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### FORMAL CALENDAR

#### HOUSE BILLS ON SECOND READING

HB 2307-Coleman (32)

HCS for HB 1757

HB 2593-Lovasco

HB 1860-Eggleston

HCS for HB 1583

HB 2623-Veit

HB 1705-Roberts

HCS for HB 2218

HB 2331-Baker

HCS for HB 2376

HCS for HB 2152

HB 2090-Griffith

HCS for HB 1683

HB 2372-Chipman

HB 2625-Burger

HCS for HB 1696

HS for HCS for HBs 2574, 1929 & 1456

HCS for HB 1709

HB 1629-Morse

HB 2566-Porter

HB 2493-Black (7)

HB 2365-Shields

HB 2571-Owen

HB 2325-Patterson

HCS for HB 1858

#### THIRD READING OF SENATE BILLS

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

SS for SB 742-Crawford  
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- |                                 |  |
|---------------------------------|--|
| 1. SB 671-White, with SCS       | 16. SB 1023-Gannon                       |
| 2. SB 741-Crawford, with SCS    | 17. SB 809-Koenig, with SCS              |
| 3. SB 674-Hough, with SCS       | 18. SB 800-Hegeman                       |
| 4. SB 987-Bean                  | 19. SB 958-Bean, with SCS                |
| 5. SB 713-Razer, with SCS       | 20. SB 694-Brattin                       |
| 6. SB 781-Moon, with SCS        | 21. SB 1063-Crawford                     |
| 7. SB 1179-Hough                | 22. SB 963-Brown, with SCS               |
| 8. SB 994-Washington            | 23. SB 978-Eslinger, with SCS            |
| 9. SBs 961 & 733-Beck, with SCS | 24. SB 843-Moon, with SCS                |
| 10. SB 739-Eigel                | 25. SB 1178-White and Cierpiot, with SCS |
| 11. SB 874-Arthur               | 26. SB 1133-White, with SCS              |
| 12. SB 1040-Burlison            | 27. SB 684-May                           |
| 13. SB 1143-Brown               | 28. SB 923-Brattin                       |
| 14. SB 685-May                  | 29. SJRs 52 & 53-Koenig, with SCS        |
| 15. SB 833-Luetkemeyer          | 30. SB 839-Brattin, with SCS             |

HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HCS for HB 1686 (Brown)<br>(In Fiscal Oversight) | 6. HCS for HB 1606, with SCS (Eslinger)      |
| 2. HCS for HB 2005 (Bean)                           | 7. HB 1878-Simmons, with SCS (Crawford)      |
| 3. HCS for HBs 2502 & 2556 (Hegeman)                | 8. HCS for HB 2304, with SCS (O'Laughlin)    |
| 4. HCS for HJR 117 (Hegeman)                        | 9. HB 1856-Baker, with SCS (O'Laughlin)      |
| 5. HCS for HB 2627, with SCS (Williams)             | 10. HCS for HB 1462, with SCS (Onder)        |
|   | 11. HB 1667-Christofanelli (Thompson Rehder) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 631-Hegeman, with SCS, SS for SCS & SA 4<br>(pending) | SB 663-Bernskoetter, with SCS   |
| SB 648-Rowden  | SB 664-Bernskoetter   |
| SB 650-Eigel   | SB 665-Bernskoetter, with SS (pending)                                  |
| SB 654-Crawford, with SCS                                | SB 667-Burlison, with SS (pending)                                      |
| SB 657-Cierpiot, with SS (pending)                       | SBs 698 & 639-Gannon, et al, with SCS, SA 1 &<br>SA 1 to SA 1 (pending) |

SBs 702, 636, 651, & 693-Eslinger, with  
SCS  
SB 723-Hegeman, with SA 1 (pending)  
SB 726-Onder, with SS & SA 6 (pending)  
SB 732-Hoskins, with SCS  
SB 762-Brown, with SS & SA 4 (pending)  
SBs 777 & 808-Brattin, with SCS  
SB 798-Mosley, with SA 1 & SA 1 to SA 1  
(pending)  
SB 812-Eigel

SB 850-Bean, with SCS & SS for SCS  
(pending)  
SB 864-Hoskins, with SCS  
SB 867-Koenig, with SCS  
SB 869-Koenig, with SS (pending)  
SB 918-Burlison, with SCS, SS for SCS &  
SA 1 (pending)  
SB 938-White, with SCS & SS#2 for SCS &  
SA 1 (pending)  
SB 1153-Eslinger, with SCS

### CONSENT CALENDAR

#### House Bills

Reported 4/12

HB 1600-Chipman (Bernskoetter)

Reported 4/14

HB 1725-Hudson (Burlison)

HB 2416-Porter (Brown)

### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

#### Requests to Recede or Grant Conference

HCS for HB 1720, with SS for SCS, as amended  
(Bean) (House requests Senate 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 448-Eigel

SR 453-Eigel  
SR 466-Eigel

SR 467-Eigel  
SR 468-Hoskins  
SR 469-Hoskins  
SR 472-White

SR 496-Hoskins  
SR 783-Hough  
HCR 52-Plocher (Rowden)

Reported from Committee

SR 594-Bernskoetter and Schupp  
SR 626-Schatz

SR 702-Rowden, with SCS

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