

Amended
JOURNAL OF THE SENATE
ONE HUNDRED FIRST GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST EXTRA SESSION
OF THE
SECOND REGULAR SESSION

FIRST DAY—WEDNESDAY, SEPTEMBER 14, 2022

The Senate was called to order in Extra Session by Lieutenant Governor Mike Kehoe.

The Reverend Carl Gauck offered the following prayer:

Gracious God, we thank you for our safe travel here to begin this special session together. We are thankful for the scripture teaching of the lives of faithful people, like Mordecai, a man who loved his people and risked his life for them. Help us to have such a passion and love for our people that our decisions will do what is right and necessary to work for the general welfare of our state and our people. In Your Holy Name, we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

COMMUNICATIONS FROM THE GOVERNOR

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

PROCLAMATION

WHEREAS, on May 30, 2022, the General Assembly adjourned pursuant to Article III, Section 20(a) of the Missouri Constitution; and

WHEREAS, agriculture is Missouri's top economic industry by contributing over \$93.7 billion, with over \$55 billion generated from agriculture inputs and \$34 billion in agriculture value-added products; and

WHEREAS, Missouri's agriculture industry employs nearly 460,000 citizens that support many of the state's top agricultural commodities including soybeans, corn, cattle and calves, hogs, and turkeys; and

WHEREAS, the Show-Me State is 2nd in the United States for number of farms with over 95,000 farms covering two-thirds of the state's total land acreage, nearly all of which are family owned and operated; and

WHEREAS, Missouri farmers not only feed Missourians, but also help feed the world by exporting commodities to other countries, providing critical aid while global fuel supply shortages occur surrounding the global Russia-Ukraine crisis; and

WHEREAS, in order to further support and promote agricultural opportunities in Missouri and support Missouri family farms, certainty and longevity are needed for our key agriculture programs to attract additional agricultural investment to Missouri; and

WHEREAS, all Missouri families are impacted by agriculture, and the costs of food, fuel, and other household goods have increased over 8.5% in the past twelve months, adding to the financial strain placed on farmers and families; and

WHEREAS, Missouri has taken a fiscally conservative approach to managing our state finances by balancing our budget every year, all while reducing individual income taxes in 2018, 2019, and 2022; and

WHEREAS, the current individual income tax top rate is 5.3%, and the fiscally disciplined decisions my administration and the General Assembly have made over the last several years have positioned us to provide additional relief to Missouri citizens by further reducing taxes; and

WHEREAS, Missouri families and farmers would greatly benefit from additional tax reductions to help them manage rising national and global prices.

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

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

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Tuesday, September 6, 2022; and

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

1. To enact legislation amending Section 135.305, RSMo to extend the expiration of the wood energy tax credit at least eight years after the expiration date of June 30, 2020;
2. To enact legislation amending Section 135.686, RSMo to extend the expiration of the meat processing facility investment tax credit act at least seven years after the expiration date of December 31, 2021, to amend the definition of "taxpayer" to include any individual or entity that owns a meat processing facility located in this state and employs a combined total of fewer than five hundred individuals in all meat processing facilities owned by the individual or entity in this country, and to remove the terms "and section 135.679" from subsection 4 to allow the meat facility investment tax credit to be capped at two million dollars per calendar year exclusive of the qualified beef tax credit;
3. To add a new section to Chapter 135, RSMo that creates a tax credit program for retail dealers of higher ethanol blend fuel equal to five cents per gallon, where such credits are nontransferable and nonrefundable, but may be carried forward up to five subsequent tax years. The total amount of credits that may be authorized in any fiscal year may not exceed five million dollars. The tax credit program shall expire at least six years after the program is authorized;
4. To add a new section to Chapter 135, RSMo that creates a tax credit program for retail dealers of biodiesel fuel equal to two cents per gallon of biodiesel blend of at least five percent but not more than ten percent, and five cents per gallon of biodiesel blend in excess of ten percent but not more than twenty percent. Such credits shall be nontransferable but may be refundable. The total amount of credits that may be authorized in any fiscal year shall not exceed sixteen million dollars. The tax credit program shall expire at least six years after the program is authorized;
5. To add a new section to Chapter 135, RSMo that creates a tax credit program for Missouri biodiesel producers equal to two cents per gallon of biodiesel fuel produced by the Missouri biodiesel producer. Such credits shall be nontransferable but may be refundable. The total amount of credits that may be authorized in any fiscal year shall not exceed four million dollars. The tax credit program shall expire at least six years after the program is authorized;
6. To add a new section to Chapter 135, RSMo that creates an urban farm tax credit program equal to fifty percent of the taxpayer's eligible expenses for establishing or improving an urban farm that focuses on food production. The tax credit shall not exceed the amount of the taxpayer's state tax liability in the tax year for which the credit is claimed, and the taxpayer shall not be allowed to claim a tax credit in excess of five thousand dollars for each urban farm or twenty-five thousand dollars for all taxpayers on any given urban farm. Such tax credits may be carried forward up to three subsequent tax years. The total amount of credits that may be authorized in any calendar year shall not exceed two hundred thousand dollars. The tax credit program shall expire at least six years after the program is authorized;
7. To enact legislation amending Section 137.1018, RSMo to extend the expiration of the rolling stock tax credit program at least eight years after the expiration date of August 28, 2020, and by further terminating the rolling stock tax credit program one year thereafter;
8. To enact legislation amending Section 143.011, RSMo to reduce the top rate of individual income tax beginning in calendar year 2023, so long as any reduction made in this Section, and when combined with the elimination of tax on taxable income under Section 143.021 and increasing the Missouri standard deduction under Section 143.131, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;

9. To enact legislation amending Section 143.021, RSMo to eliminate the tax on taxable income of up to four thousand dollars in increments of one thousand dollars beginning on or after January 1, 2023 and allowing the Director of the Missouri Department of Revenue to adjust the tax table accordingly, so long as any reduction made in this Section, and when combined with the reduction of the top rate of individual income tax under Section 143.011 and increasing the Missouri standard deduction under Section 143.131, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;
10. To enact legislation amending Section 143.131, RSMo to increase the Missouri standard deduction for every tax filer beginning January 1, 2023, with such amounts increasing for every filing status except married filing combined shall be the allowable federal standard deduction plus up to two thousand dollars, and increasing for the filing status of married filing combined shall be the allowable federal standard deduction plus up to four thousand dollars, so long as any reduction made in this Section, and when combined with the reduction of the top rate of individual income tax under Section 143.011 and the elimination of tax on taxable income under Section 143.021, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;
11. To enact legislation amending Section 144.030, RSMo to exempt utility vehicles used for any agricultural use from state and local sales and use taxes;
12. To enact legislation amending Section 348.436, RSMo to extend the sunset on the Agricultural Product Utilization Contributor Tax Credit program and the New Generation Cooperative Incentive Tax Credit program at least seven years after the expiration date of December 31, 2021, or to repeal Section 348.436, RSMo in its entirety;
13. To add two new sections to Chapter 348, RSMo to create the Specialty Agricultural Crops Act allowing family farmers to obtain loans for acquiring farming resources while not being assessed loan interest for the first year of the qualified specialty agricultural crops loan. Lenders providing loans under the specialty agricultural crops act program shall be entitled to a tax credit equal to the amount of interest waived in the first year of the loan. The total amount of credits that may be authorized in any fiscal year shall not exceed three hundred thousand dollars. The Specialty Agricultural Crops Act program and associate credits shall expire at least six years after the program is authorized;
14. To enact legislation amending Section 348.500, RSMo of the Family Farms Act to modify the definition of “small farmer” to mean a farmer who is a Missouri resident and who has less than five hundred thousand dollars in gross sales per year, and by removing a provision from subsection 4 that limits small farmers from being eligible for only one family farm livestock loan per family and for only one type of livestock. The maximum amount of the family farm livestock loan for each type of livestock may also be amended to be one hundred fifty thousand dollars for beef cattle and dairy cattle, seventy thousand dollars for swine, and sixty thousand dollars for sheep and goats;
15. To add an emergency clause to all legislation enacted by the One Hundred First General Assembly of the State of Missouri in the First Extraordinary Session of the Second Regular Session;
16. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
17. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused to be affixed the Great Seal of the State of
Missouri, in the City of Jefferson, on this 22nd day of
August, 2022.

SEAL

/s/ MICHAEL L. PARSON
GOVERNOR

ATTEST:

/s/ JAY ASHCROFT
SECRETARY OF STATE

Senator Rowden announced that photographers from KRCG-TV, Jefferson City News Tribune, KOMU 8, and Nexstar Media Group 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	Riddle	Rizzo	Rowden	Schatz	Schupp
Thompson Rehder	Washington	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Roberts—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

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

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the One Hundred First General Assembly of the State of Missouri, Second Regular Session, that the rules adopted by the One Hundred First General Assembly, Second Regular Session, be declared as the rules for the First Extraordinary Session of the Second Regular Session.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1—By Crawford.

An Act to repeal sections 143.021 and 143.131, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof three new sections relating to income taxes, with an emergency clause for certain sections and an effective date for a certain section.

SB 2—By Hough.

An Act to repeal sections 135.305, 135.686, 137.1018, 144.030, 348.436, and 348.500, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof fourteen new sections relating to tax relief, with an effective date for a certain section and an emergency clause for certain sections.

SB 3—By Hough.

An Act to repeal section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof two new sections relating to income taxes, with an effective date for a certain section and an emergency clause for a certain section.

SB 4—By Hough.

An Act to repeal sections 135.305, 135.686, 137.1018, 144.030, 348.436, and 348.500, RSMo, and to enact in lieu thereof twelve new sections relating to agricultural tax relief, with an emergency clause.

SB 5—By Koenig.

An Act to repeal sections 143.021, 143.071, and 143.171, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof four new sections relating to income taxes, with an effective date for a certain section and an emergency clause for certain sections.

SB 6—By Eslinger.

An Act to repeal sections 143.021 and 143.131, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof three new sections relating to income taxes, with an emergency clause for certain sections and an effective date for a certain section.

SB 7—By Eigel.

An Act to repeal section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof one new section relating to income taxes, with an effective date.

SB 8—By Bean.

An Act to repeal sections 135.686, 137.1018, 144.030, 348.436, and 348.500, RSMo, and to enact in lieu thereof eleven new sections relating to agricultural tax relief, with an emergency clause.

SB 9—By Moon.

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof one new section relating to corporate income tax.

SB 10—By Moon.

An Act to repeal sections 142.803 and 142.822, RSMo, and to enact in lieu thereof one new section relating to the motor fuel tax.

SB 11—By Moon.

An Act to repeal section 142.822, RSMo, and to enact in lieu thereof one new section relating to taxation of motor fuel.

SB 12—By Moon.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to an income tax exemption for certain dependents.

SB 13—By Rizzo.

An Act to repeal section 143.177, RSMo, and to enact in lieu thereof one new section relating to income

taxes.

SB 14—By Brown.

An Act to repeal section 135.305, RSMo, and to enact in lieu thereof one new section relating to the extension of sunset dates for certain tax credits.

SB 15—By Brown.

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to specialty agricultural crops, with an emergency clause.

SB 16—By Bernskoetter.

An Act to repeal sections 266.355, 643.050, and 643.079, RSMo, and to enact in lieu thereof three new sections relating to anhydrous ammonia, with an emergency clause.

SB 17—By Bernskoetter.

An Act to repeal sections 348.436 and 348.500, RSMo, and to enact in lieu thereof two new sections relating to agricultural economic opportunities, with an emergency clause.

SB 18—By Hoskins.

An Act to repeal sections 143.021, 143.071, and 143.131, RSMo, and section 143.011 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof four new sections relating to income taxes, with an emergency clause for certain sections and an effective date for a certain section.

SB 19—By Hoskins.

An Act to repeal sections 135.305, 135.686, 137.1018, 144.030, 348.436, and 348.500, RSMo, and to enact in lieu thereof twelve new sections relating to tax relief, with an emergency clause.

SB 20—By Hoskins.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to middle school, high school, and college athletics.

SB 21—By Hoskins.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to public school curriculum and instruction.

SB 22—By Onder.

An Act to amend chapters 160, 161, 167, and 191, RSMo, by adding thereto four new sections relating to the protection of children, with penalty provisions.

INTRODUCTION OF GUESTS

Senator Crawford introduced to the Senate, Jorja; Brett; and Tiffany Harrison, Urbana; and Larry and Linda Wilson, Hermitage.

Senator Schupp introduced to the Senate, her husband, Mark Schupp, Creve Coeur.

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

SENATE CALENDAR

SECOND DAY—THURSDAY, SEPTEMBER 15, 2022

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Crawford
SB 2-Hough
SB 3-Hough
SB 4-Hough
SB 5-Koenig
SB 6-Eslinger
SB 7-Eigel
SB 8-Bean
SB 9-Moon
SB 10-Moon
SB 11-Moon

SB 12-Moon
SB 13-Rizzo
SB 14-Brown
SB 15-Brown
SB 16-Bernskoetter
SB 17-Bernskoetter
SB 18-Hoskins
SB 19-Hoskins
SB 20-Hoskins
SB 21-Hoskins
SB 22-Onder

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