

# Journal of the Senate

FIRST REGULAR SESSION

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**NINTH DAY - THURSDAY, JANUARY 19, 2023**

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The Senate met pursuant to adjournment.

Senator Bean in the Chair.

The Reverend Carl Gauck offered the following prayer:

"The eyes of the Lord are upon the righteous, and His ears are open unto their cry." (Psalm 34:15)

Almighty God, as we conclude this day's work and return to loved ones, watch over our travels and help us be mindful of Your wondrous gifts in this life You provide and may we always be willing to share the joy of Your word in the task that we pursue this weekend. 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	Black	Brown (16th Dist.)	Brown (26th Dist.)
Carter	Cierpiot	Coleman	Crawford	Eslinger	Fitzwater	Gannon
Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery	Moon
Mosley	O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer
Thompson Rehder	Trent	Washington	Williams—32			

Absent—Senators—None

Absent with leave—Senators

Brattin                      Eigel—2

Vacancies—None

The Lieutenant Governor was present.

President Kehoe assumed the Chair.

## RESOLUTIONS

Senators Coleman and Beck offered Senate Resolution No. 64, regarding Nicole Yahl, Arnold, which was adopted.

Senators Coleman and Beck offered Senate Resolution No. 65, regarding Christine "Chris" Wilson, Arnold, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Bernskoetter offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 7  
Relating to the America 250 Missouri Commission

Whereas, the 250th anniversary of the Declaration of Independence and 250th anniversary of the United States of America are approaching in the coming years; and

Whereas, such anniversaries are worthy of celebration at both the federal and state levels; and

Whereas, in order to effect such a celebration in Missouri, there needs to be a coordinated effort at the state level:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One Hundred Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the America 250 Missouri Commission; and

Be it Further Resolved that the principal purpose of the Commission shall be to plan, promote, and implement where appropriate public celebrations and commemorations of the 250th anniversary of the Declaration of Independence on July 4, 2026, and the 250th anniversary of the United States of America; and

Be it Further Resolved that the Commission is authorized to cooperate with the United States Semiquincentennial Commission created by Public Law 114-196, other national and state organizations engaged in commemoration and celebration of the United States Semiquincentennial, and other national, regional, state, and local public and private organizations having compatible purposes. It shall encourage various state agencies and organizations to work cooperatively to promote the Semiquincentennial; and

Be it Further Resolved that the Commission shall consider promoting and encouraging as part of its celebratory and commemorative events, electronic media, printed products, symposia, and educational outreach all of the following:

(1) Awareness and understanding of the principles of the Declaration of Independence, of the winning of American independence in the American Revolutionary War, and of the establishment of America's system of constitutional self-government;

(2) Teaching students and increasing public knowledge and appreciation of the breadth of American history and the centuries-long quest for "liberty and justice for all". This includes sharing the stories and contributions of the various people who have populated the land, from indigenous peoples, explorers, British colonists, seekers of religious freedom, enslaved African Americans, and many others who are part of America's stories. This should also include the commemoration of events that occurred in Missouri during the American Revolutionary War period, such as the Battle of Fort San Carlos in what is now the city of St. Louis in 1780;

(3) Advancing the cause of liberty and American self-government and of the meaning of "E Pluribus Unum" ("From many, one"), through promoting civic knowledge and practice, including America's "Charters of Freedom" (the Declaration of Independence, the Constitution, and the Bill of Rights), and the constitutional features of self-government which emphasize the roles of active and engaged good citizens;

(4) Emphasizing the service and sacrifices of veterans of all generations who have secured and preserved American independence and freedom and encouraging Missourians to honor them;

(5) Celebratory and commemorative events and activities throughout the State of Missouri; and

Be it Further Resolved that the membership of the Commission shall consist of thirteen voting members as follows:

(1) The Governor of Missouri who shall serve as chair of the commission;

(2) Two members appointed by the Lieutenant Governor;

(3) Two members appointed by the President Pro Tempore of the Senate and two members appointed by the Speaker of the House of Representatives;

(4) Two members who are Missourians serving on the United States Semiquincentennial Commission as certified by the executive officer of that Commission;

(5) One member who is a representative of the Missouri Society of the Sons of the American Revolution appointed by the Governor;

(6) One member who is a representative of the Missouri State Society Daughters of the American Revolution appointed by the Governor;

(7) Two citizens at large, appointed by the Governor; and

Be it Further Resolved that members shall serve for the life of the Commission, provided any public official's expiration of his or her term shall create a vacancy, and all vacancies shall be filled in the same manner as originally appointed; and

Be it Further Resolved that the appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state; and

Be it Further Resolved that the Commission shall elect its chair, vice chair and any other officers it deems necessary. A majority of the members shall constitute a quorum to conduct business; and

Be it Further Resolved that the Office of Administration shall provide administrative support for the Commission; and

Be it Further Resolved that the Commission, its members, and any staff assigned to the Commission shall receive reimbursement for their actual and necessary expenses in attending meetings of the Commission, with such reimbursement for the legislative members only coming from the Joint Contingent Fund; and

Be it Further Resolved that the Commission shall terminate by either a majority of the members voting for termination, or by December 31, 2027, whichever occurs first; and

Be It Further Resolved that the Secretary of the Senate be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Bean offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, the cultivation and harvesting of peaches in Campbell, Missouri has long been an integral part of the city and region; and

Whereas, with a mild climate and soil that is good for producing quality peaches, Campbell is the perfect growing spot for peaches; and

Whereas, almost eighty-five percent of the state's peach harvest is grown in Campbell; and

Whereas, local peach growers have over 125,000 peach trees on more than 1,000 acres; and

Whereas, local peach growers employ local teenagers and seasonal workers each season to harvest the peaches, in addition to year round staff; and

Whereas, from its annual Missouri Peach Fair to the peach basket water tower, the city of Campbell has long been known as the peach capital of the state of Missouri:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One Hundred Second General Assembly, First Regular Session, the House of Representatives concurring therein, that the city of Campbell, Missouri, shall be known as the Peach Capital of Missouri; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the city of Campbell.

**INTRODUCTION OF BILLS**

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

**SB 518**—By Carter.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

**SB 519**—By Hoskins.

An Act to repeal sections 135.775 and 135.778, RSMo, and to enact in lieu thereof two new sections relating to a tax credit for the production of biodiesel fuel.

**SB 520**—By Cierpiot.

An Act to repeal section 393.1700, RSMo, and to enact in lieu thereof one new section relating to the review of certain financing orders by the Missouri public service commission.

**SB 521**—By Crawford.

An Act to repeal section 287.715, RSMo, and to enact in lieu thereof one new section relating to the second injury fund.

**SB 522**—By Brown (26).

An Act to repeal section 407.932, RSMo, and to enact in lieu thereof one new section relating to tobacco products.

**SB 523**—By Bernskoetter.

An Act to repeal sections 701.040 and 701.046, RSMo, and to enact in lieu thereof two new sections relating to sewage regulation.

**SB 524**—By Bernskoetter.

An Act to repeal section 565.002, RSMo, and to enact in lieu thereof two new sections relating to sports officials.

### **REPORTS OF STANDING COMMITTEES**

Senator Rowden, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John Brown, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Megan Word, Democrat, as a member of the Clay County Board of Election Commissioners;

Also,

Mary Deeken and Mark A. McCarter, as members of the Child Abuse and Neglect Review Board;

Also,

Victoria Anne Schwinke, as a member of the Missouri Dental Board;

Also,

Matthew E. Ross, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Sherry Stites, District One Commissioner of the Phelps County Commission;

Also,

Derek Winters, Republican, as a member of the Saint Louis City Board of Election Commissioners;

Also,

Kathryn Johnson Swan, Republican, as a member of the Labor and Industrial Relations Commission;

Also,

Dr. Andrew Jacob Moore, Republican, as a member of the Southeast Missouri State University Board of Governors;

Also,

James Ray Watkins, Seismic Safety Commission;

Also,

Ralph F. Munyan, II, Republican, as a member of the Kansas City Board of Election Commissioners;

Also,

Brock Bailey, Western District Commissioner of the Pike County Commission;

Also,

Gary R. Newman, Jr., Republican, as a member of the Amusement Ride Safety Board.

Senator Rowden requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Rowden moved that the committee report be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

### **SECOND READING OF SENATE BILLS**

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

**SB 92**—Economic Development and Tax Policy.

**SB 93**—Economic Development and Tax Policy.

**SB 94**—Economic Development and Tax Policy.

**SB 95**—Governmental Accountability.

**SB 96**—Local Government and Elections.

**SB 97**—Judiciary and Civil and Criminal Jurisprudence.

**SB 98**—Local Government and Elections.

**SB 99**—Emerging Issues.

**SB 100**—Veterans, Military Affairs and Pensions.

- SB 101**—Insurance and Banking.
- SB 102**—Local Government and Elections.
- SB 103**—Judiciary and Civil and Criminal Jurisprudence.
- SB 104**—Governmental Accountability.
- SB 105**—Governmental Accountability.
- SB 106**—Health and Welfare.
- SB 107**—Education and Workforce Development.
- SB 108**—Health and Welfare.
- SB 109**—General Laws.
- SB 110**—Governmental Accountability.
- SB 111**—Fiscal Oversight.
- SB 112**—Transportation, Infrastructure and Public Safety.
- SB 113**—Local Government and Elections.
- SB 114**—Veterans, Military Affairs and Pensions.
- SB 115**—Agriculture, Food Production and Outdoor Resources.
- SB 116**—General Laws.
- SB 117**—Judiciary and Civil and Criminal Jurisprudence.
- SB 118**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 9**—Transportation, Infrastructure and Public Safety.
- SJR 10**—Local Government and Elections.
- SJR 11**—Governmental Accountability.
- SJR 12**—Local Government and Elections.
- SJR 13**—Local Government and Elections.
- SJR 14**—Emerging Issues.
- SJR 15**—Economic Development and Tax Policy.
- SJR 16**—Economic Development and Tax Policy.
- SJR 17**—Local Government and Elections.
- SJR 18**—Governmental Accountability.
- SJR 19**—Health and Welfare.
- SJR 20**—Emerging Issues.
- SJR 21**—Governmental Accountability.
- SJR 22**—Rules, Joint Rules, Resolutions and Ethics.
- SJR 23**—Rules, Joint Rules, Resolutions and Ethics.
- SJR 24**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 25**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 26**—Fiscal Oversight.

**SJR 27**—Local Government and Elections.

**SJR 28**—Local Government and Elections.

**SJR 29**—Education and Workforce Development.

**SJR 30**—Local Government and Elections.

**SJR 31**—Judiciary and Civil and Criminal Jurisprudence.

**SJR 32**—Rules, Joint Rules, Resolutions and Ethics.

**SJR 33**—Local Government and Elections.

**SJR 34**—Fiscal Oversight.

**SJR 35**—Economic Development and Tax Policy.

### **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2<sup>nd</sup> time and referred to the Committee indicated:

**SCR 6**—Rules, Joint Rules, Resolutions and Ethics.

### **INTRODUCTION OF GUESTS**

Senator Fitzwater introduced to the Senate, FFA students from Troy Buchanan High School, Troy, Missouri.

On motion of Senator O'Laughlin, the Senate adjourned until 4:00 p.m., Monday, January 23, 2023.

### **SENATE CALENDAR**

TENTH DAY—MONDAY, JANUARY 23, 2023

### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 119-Luetkemeyer

SB 120-May and Luetkemeyer

SB 121-May

SB 122-May

SB 123-Williams

SB 124-Williams

SB 125-Williams

SB 126-Thompson Rehder

SB 127-Thompson Rehder

SB 128-Thompson Rehder

SB 129-Brattin

SB 130-Brattin

SB 131-Brattin

SB 132-Gannon

SB 133-Moon

SB 134-Moon

SB 135-Moon

SB 136-Eslinger

SB 137-Eslinger

SB 138-Eslinger

SB 139-Bean

SB 140-Bean

SB 141-Bean

SB 142-Beck

SB 143-Beck	SB 190-Luetkemeyer
SB 144-Beck	SB 191-Luetkemeyer
SB 145-Roberts	SB 192-May
SB 146-Roberts	SB 193-May
SB 147-Roberts	SB 194-May
SB 148-Mosley	SB 195-Williams
SB 149-Mosley	SB 196-Williams
SB 150-Mosley	SB 197-Williams
SB 151-Fitzwater	SB 198-Thompson Rehder
SB 152-Trent	SB 199-Thompson Rehder
SB 153-Trent	SB 200-Brattin
SB 154-Trent	SB 201-Brattin
SB 155-Black	SB 202-Brattin
SB 156-Black	SB 203-Moon
SB 157-Black	SB 204-Moon
SB 158-Schroer	SB 205-Moon
SB 159-Schroer	SB 206-Eslinger
SB 160-Schroer	SB 207-Eslinger
SB 161-Coleman	SB 208-Eslinger
SB 162-Coleman	SB 209-Bean
SB 163-Coleman	SB 210-Bean
SB 164-Carter	SB 211-Bean
SB 165-Carter	SB 212-Beck
SB 166-Carter	SB 213-Beck
SB 167-Brown (26)	SB 214-Beck
SB 168-Brown (26)	SB 215-Roberts and Luetkemeyer
SB 169-Brown (26)	SB 216-Roberts
SB 170-Hoskins	SB 217-Roberts
SB 171-Hoskins	SB 218-Mosley
SB 172-Hoskins	SB 219-Mosley
SB 173-Koenig	SB 220-Mosley
SB 174-Koenig	SB 221-Trent
SB 175-Koenig	SB 222-Trent
SB 176-Eigel	SB 223-Trent
SB 177-Eigel	SB 224-Schroer
SB 178-Eigel	SB 225-Schroer
SB 179-Crawford	SB 226-Schroer
SB 180-Crawford	SB 227-Coleman
SB 181-Crawford	SB 228-Coleman
SB 182-Arthur	SB 229-Coleman
SB 183-Arthur	SB 230-Carter
SB 184-Arthur	SB 232-Carter
SB 185-Bernskoetter	SB 233-Brown (26)
SB 186-Brown (16)	SB 234-Brown (26)
SB 187-Brown (16)	SB 235-Hoskins
SB 188-Brown (16)	SB 236-Hoskins
SB 189-Luetkemeyer	SB 237-Hoskins



SB 238-Koenig	SB 285-Arthur
SB 239-Koenig	SB 286-Brattin
SB 240-Koenig	SB 287-Brattin
SB 241-Eigel	SB 288-Brattin
SB 242-Eigel	SB 289-Moon
SB 243-Eigel	SB 290-Moon
SB 244-Arthur	SB 291-Moon
SB 245-Arthur	SB 292-Beck
SB 246-Arthur	SB 293-Beck
SB 247-Brown (16)	SB 294-Beck
SB 248-Brown (16)	SB 295-Mosley
SB 249-Brown (16)	SB 296-Mosley
SB 250-Luetkemeyer	SB 297-Mosley
SB 251-May	SB 298-Trent
SB 252-May	SB 299-Hoskins
SB 253-Williams	SB 300-Hoskins
SB 254-Williams	SB 301-Hoskins
SB 255-Brattin	SB 302-Eigel
SB 256-Brattin	SB 303-Eigel
SB 257-Brattin	SB 304-Eigel
SB 258-Moon	SB 305-Arthur
SB 259-Moon	SB 306-Arthur
SB 260-Moon	SB 307-Arthur
SB 261-Eslinger	SB 308-Brattin
SB 262-Eslinger	SB 309-Moon
SB 263-Eslinger	SB 310-Beck
SB 264-Bean	SB 311-Beck
SB 265-Bean	SB 312-Beck
SB 266-Bean	SB 313-Mosley
SB 267-Beck	SB 314-Mosley
SB 268-Beck	SB 315-Mosley
SB 269-Beck	SB 316-Hoskins
SB 270-Roberts	SB 317-Eigel
SB 271-Mosley	SB 318-Eigel
SB 272-Mosley	SB 319-Eigel
SB 273-Mosley	SB 320-Mosley
SB 274-Trent	SB 321-Mosley
SB 275-Trent	SB 322-Mosley
SB 276-Trent	SB 323-Eigel
SB 277-Hoskins	SB 324-Mosley
SB 278-Hoskins	SB 325-Mosley
SB 279-Hoskins	SB 326-Mosley
SB 280-Eigel	SB 327-Mosley
SB 281-Eigel	SB 328-Mosley
SB 282-Eigel	SB 329-Mosley
SB 283-Arthur	SB 330-Mosley
SB 284-Arthur	SB 331-Eigel

SB 332-Brattin	SB 379-Crawford
SB 333-Trent	SB 380-Williams
SB 334-Hoskins	SB 381-Thompson Rehder
SB 335-Crawford	SB 382-Gannon
SB 336-Crawford	SB 383-Gannon
SB 337-Crawford	SB 384-Gannon
SB 338-Razer	SB 385-Bean
SB 339-Razer	SB 386-Trent
SB 340-Razer	SB 387-Trent
SB 341-Trent	SB 388-Hough
SB 342-Trent	SB 389-Hough
SB 343-Razer	SB 390-Brattin
SB 344-Razer	SB 391-Brattin
SB 345-Beck	SB 392-Brattin
SB 346-Crawford	SB 393-Bernskoetter
SB 347-Trent	SB 394-Bernskoetter
SB 348-Trent	SB 395-Bernskoetter
SB 349-Trent	SB 396-Gannon
SB 350-Hoskins	SB 397-Razer
SB 351-Brown (16)	SB 398-Schroer
SB 352-Trent	SB 399-Schroer
SB 353-Hough	SB 400-Schroer
SB 354-Hough	SB 401-Bernskoetter
SB 355-Brown (16)	SB 402-Bernskoetter
SB 356-Moon	SB 403-Bernskoetter
SB 357-Moon	SB 404-Schroer
SB 358-Moon	SB 405-Schroer
SB 359-Coleman	SB 406-Schroer
SB 360-Koenig	SB 407-Bernskoetter
SB 361-Koenig	SB 408-Schroer
SB 362-Koenig	SB 409-Schroer
SB 363-Roberts	SB 410-Koenig
SB 364-Carter	SB 411-Brown (26)
SB 365-Crawford	SB 412-Brown (26)
SB 366-Crawford	SB 413-Hoskins
SB 367-Luetkemeyer	SB 414-Rowden
SB 368-Thompson Rehder	SB 415-Arthur
SB 369-Brown (16)	SB 416-Arthur
SB 370-May	SB 417-Arthur
SB 371-May	SB 418-Brown (16)
SB 372-May	SB 419-Gannon
SB 373-Trent	SB 420-Gannon
SB 374-Cierpiot	SB 421-Gannon
SB 375-Cierpiot	SB 422-Beck
SB 376-Trent	SB 423-Washington
SB 377-Coleman	SB 424-Washington
SB 378-Rowden	SB 425-Washington

SB 426-Eslinger	SB 473-Hough
SB 427-Eslinger	SB 474-Hough
SB 428-Carter	SB 475-Fitzwater
SB 429-Carter	SB 476-Trent
SB 430-Carter	SB 477-Brattin
SB 431-McCreery	SB 478-Cierpiot
SB 432-Gannon	SB 479-Cierpiot
SB 433-Washington	SB 480-Thompson Rehder
SB 434-Washington	SB 481-Thompson Rehder
SB 435-Washington	SB 482-Schroer
SB 436-Carter	SB 483-Eigel
SB 437-Washington	SB 484-Eigel
SB 438-Washington	SB 485-Roberts
SB 439-Washington	SB 486-Williams
SB 440-Washington	SB 487-Williams
SB 441-Washington	SB 488-Coleman
SB 442-Washington	SB 489-Schroer
SB 443-Washington	SB 490-Schroer
SB 444-Washington	SB 491-Cierpiot
SB 445-Washington	SB 492-Trent
SB 446-Washington	SB 493-Crawford
SB 447-Washington	SB 494-Eslinger
SB 448-Luetkemeyer and Williams	SB 495-Eslinger
SB 449-Black	SB 496-Eslinger
SB 450-Cierpiot	SB 497-Eigel
SB 451-Trent	SB 498-Eigel
SB 452-Moon	SB 499-Eigel
SB 453-Moon	SB 500-Eigel
SB 454-Carter	SB 501-Eigel
SB 455-Roberts	SB 502-Schroer
SB 456-Schroer	SB 503-Thompson Rehder
SB 457-Schroer	SB 504-Thompson Rehder
SB 458-Coleman	SB 505-Thompson Rehder
SB 459-Schroer	SB 506-Moon
SB 460-Brown (16)	SB 507-Gannon
SB 461-Gannon	SB 508-Brown (26)
SB 462-Gannon	SB 509-Arthur
SB 463-Koenig	SB 510-Razer
SB 464-Luetkemeyer	SB 511-Crawford
SB 465-Schroer	SB 512-McCreery
SB 466-Schroer	SB 513-Hoskins
SB 467-Schroer	SB 514-Hoskins
SB 468-Roberts	SB 515-McCreery
SB 469-Hoskins	SB 516-McCreery
SB 470-Bernskoetter	SB 517-Roberts
SB 471-Bernskoetter	SB 518-Carter
SB 472-Bernskoetter	SB 519-Hoskins

SB 520-Cierpiot  
SB 521-Crawford  
SB 522-Brown (26)  
SB 523-Bernskoetter

SB 524-Bernskoetter  
SJR 36-Washington  
SJR 37-Cierpiot  
SJR 38-Black

INFORMAL CALENDAR

RESOLUTIONS

SR 22-Roberts

To be Referred

SCR 7-Bernskoetter

SCR 8-Bean

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