

Journal of the Senate

FIRST REGULAR SESSION

SEVENTIETH DAY - TUESDAY, MAY 30, 2023

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator Black, Senator Rowden offered Senate Resolution No. 526, regarding Derek Petty, Savannah, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 527, regarding Tiffany Neff, Palmyra, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 528, regarding Eagle Scout Elijah Hartman, Clarence, which was adopted.

On behalf of Senator Brown (16), Senator Rowden offered Senate Resolution No. 529, regarding Robbyn Shanks, Vienna, which was adopted.

On behalf of Senator Eslinger, Senator Rowden offered Senate Resolution No. 530, regarding DOCO Incorporated Sheltered Workshop, Ava, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 531, regarding Adrienne Mansdoerfer, Maryland Heights, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 532, regarding Olivia James, St. Louis, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 533, regarding Lauren Rosenbaum, Fenton, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 534, regarding Sophia "Sassy" Saleeby, St. Louis, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 535, regarding Jessica Steinberg, Creve Coeur, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 536, regarding Meghan Jachna, St. Louis, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 537, regarding Maeve Heaney, Kirkwood, which was adopted.

On behalf of Senator McCreery, Senator Rowden offered Senate Resolution No. 538, regarding Erika Schmitz, Kirkwood, which was adopted.

On behalf of Senator Roberts, Senator Rowden offered Senate Resolution No. 539, regarding Kathy Savage, St. Louis, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 540, regarding Eagle Scout Cody Castor, Parkville, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 541, regarding Eagle Scout Liam Dunn, Parkville, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 542, regarding Eagle Scout Gabriel Athie, Kansas City, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 543, regarding Eagle Scout Lukas Pitman, Kansas City, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 544, regarding Eagle Scout Duncan Holsted, Kansas City, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 545, regarding Eagle Scout Thomas Patrick O'Reilly III, Kansas City, which was adopted.

On behalf of Senators Arthur and Luetkemeyer, Senator Rowden offered Senate Resolution No. 546, regarding Eagle Scout Theo Vanderhoorn, Kansas City, which was adopted.

On behalf of Senators Hoskins and Luetkemeyer, Senator Rowden offered Senate Resolution No. 547, regarding Eagle Scout David Dalton, Liberty, which was adopted.

On behalf of Senator Fitzwater, Senator Rowden offered Senate Resolution No. 548, regarding Deborah Blythe, Holts Summit, which was adopted.

REPORTS OF STANDING COMMITTEES

On behalf of Senator O'Laughlin, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Rowden submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 13, CCS for SB 20, HCS for SS for SB 24, SS for SB 25, CCS for SB 28, SB 34, SS for SB 35, SS No. 2 for SB 39, HCS for SS for SCS for SB 40, CCS for HCS for SS for SCS for SBs 45 and 90, SS No. 2 for SCS for SBs 49, 236, and 164, SB 63, HCS for SS for SCS for SB 70, HCS for SS for SB 75, SS for SCS for SBs 94, 52, 57, 58, and 67, HCS for SB 101, HCS for SCS for SB 103, HCS for SS for SCS for SB 106, CCS for HCS for SB 109, CCS for HCS for SS for SB 111, SS for SB 116, CCS for SS for SCS for SB 127, HS for HCS for SS for SB 138, CCS for SS for SB 139, CCS for HCS for SS for SCS for SB 157, SS for SCS for SBs 167 and 171, CCS for HCS for SB 186, SS for SCS for SBs 189, 36, and 37, SS for SB 190, SS for SB 227, HCS for SS for SCS for SB 398, SJR 26, HCS for SCR 7, SCR 8, and SCR 10**, begs leave to report that it has examined the same and finds that the bills, joint resolution, and concurrent resolutions have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS for SB 13, SS for SB 25, CCS for SB 28, SB 34, SS for SB 35, SS No. 2 for SB 39, SS No. 2 for SCS for SBs 49, 236,**

and **164, SB 63, SS for SCS for SBs 94, 52, 57, 58, and 67, HCS for SB 101, HCS for SCS for SB 103, SS for SB 116, SS for SCS for SBs 167 and 171, SS for SB 190, SS for SB 227, HCS for SS for SCS for SB 398, and SJR 26**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolution would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills and joint resolution were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **HCS for HB 1, CCS for SS for SCS for HCS for HB 2, CCS for SCS for HCS for HB 3, CCS for SCS for HCS for HB 4, CCS for SS for SCS for HCS for HB 5, CCS for SCS for HCS for HB 6, CCS for SCS for HCS for HB 7, CCS for SS for SCS for HCS for HB 8, CCS for SCS for HCS for HB 9, CCS for SCS for HCS for HB 10, CCS for SCS for HCS for HB 11, CCS for SS for SCS for HCS for HB 12, CCS for SCS for HCS for HB 13, HCS for HB 17, SCS for HCS for HB 18, SS for SCS for HCS for HB 19, SS for SCS for HCS for HB 20, SS for HCS for HBs 115 and 99, HB 131, SS for HB 402, SS for SCS for HCS for HB 417, SS for HB 447, and SCS for HCS for HBs 802, 807, and 886**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **HCS for SCR 7**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the concurrent resolution would be signed by the President Pro Tem to the end that it may become law. No objections being made, the concurrent resolution was so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Moon submitted the following:

May 30, 2023

Kristina Martin
Secretary of the Senate
201 W. Capitol Avenue
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CONSTITUTIONAL OBJECTION – CCS/SB 20

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 20 was solely relating to the board of trustees of the Missouri department of transportation and highway patrol employees' retirement system. The act provides that the terms of active employee members serving on the Board of Trustees of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System on August 28, 2026, shall continue until June 30, 2028.

While in the House, the bill's title was amended, deleting the phrase, "the board of trustees of the Missouri department of transportation and highway patrol employees' retirement system" and inserting in lieu thereof the phrase "retirement systems." This change, expanded the scope of the bill, directly contradicted the Constitution, Article III, section 21.

In addition, our state's constitution states, in Article III, section 23: "No bill shall contain more than one subject which shall be clearly expressed in its title..." The unmistakable subject of SB 20, in the original bill, was solely relating to the board of trustees of the Missouri department of transportation and highway patrol employees' retirement system.

With this broader title, amendments were added to SB 20, which were not clearly expressed in the original title. These amendments related to: Sheriff's retirement system; St. Louis Police retirement system; employee stock ownership plan income tax deduction; speech implementers certification and social security coverage; public school retirement system allowance multiplier; Kansas City public schools system; closed investment records of higher education institutions; Show-me my retirement savings plan; and investments returns for judges.

These amendments are obviously not germane to the bill's original purpose. Therefore, I encourage Governor Parson to be consistent in the logic used 2018, when Senate Substitute for Senate Committee Substitute for HB 2562 was vetoed, and in 2022, when Senate Committee Substitute for HB 2090 was vetoed, and veto SCS/HB 20.



Mike Moon
District 29

Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – HCS/SS/SB 24

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 24 was solely relating to first responders. The act establishes the rights of first responders to access behavioral health care services.

As the bill was amended, the original purpose of relating to first responders was changed to relating to vulnerable persons. With the change in purpose, the MO Constitution was violated – Specifically, Article III, sections 21 and 23 ("No bill shall contain more than one subject which shall be clearly expressed in its title,..."). The following amendments caused the constitutional conflict: the requirement of the Department of Health and Senior Services to offer a vaccination program to Missouri Highway Patrol telecommunicators who may be exposed to infectious diseases; early childhood education services; opioid overdoses; rural emergency hospitals; second injury fund surcharges; Missouri task force one employment rights; fentanyl testing; rights of victims of crimes; advance health care directives; and adoption tax credits.

While the amendments may be germane to the topic of vulnerable persons, they are not related to the bill's original purpose of first responders. It should be clear, using basic logic, that the final version of SB 24 was amended well beyond the scope of the original bill and directly contradicts the Constitution: Article III, section 21 and section 23.

These amendments are clearly not germane to the bill's original purpose. Therefore, I encourage Governor Parson to be consistent in the logic used in the vetoes for SCS HB 2090 (2022) and SCS HB 2562 (2018) and veto the HCS/SS/SB 24.



Mike Moon
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CONSTITUTIONAL OBJECTION – HCS/SS/SCS/SB 40

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 40 was solely relating to criminal background checks for persons having contact with students. Under this act, school districts shall ensure that a state criminal history background check consisting of open records is conducted on any person who is 18 years old or older who is not counted in the school; district's average daily attendance when such person requests enrollment in a course that will take place on school property at a time when K-12 students are present.

While in the House, the bill's title was changed to relating to background checks. This change expanded the scope of the bill, directly contradicting the state constitution, Article III, section 21.

In addition, our state's constitution states, in Article III, section 23: "No bill shall contain more than one subject which shall be clearly expressed in its title,..." The unmistakable subject of HCS/SS/SCS/SB 40, in the original bill, was solely relating to criminal background checks for persons having contact with students.

With the new title, the bill was amended to require the Department of Health and Senior Services to ensure that all employees, contractors, and volunteers of marijuana facilities submit to fingerprinting by the Highway Patrol.

During an inquiry with the bill sponsor, I asked whether or not the amendment was related to the bill's original purpose. The bill sponsor answered in the negative (the amendment was not related to the bill's original purpose). It is clear that the state constitution was violated.

It is because of the constitutional violation that I encourage Governor Parson to be consistent in the logic used in 2018, when Senate Substitute for Senate Committee Substitute for HB 2562 was vetoed, and in 2022, when Senate Committee Substitute for HB 2090 was vetoed, and veto HCS/SS/SCS/SB 40.



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May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/HCS/SS/SCS/SBs 45 & 90

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 24 was solely relating to first responders. The act establishes the rights of first responders to access behavioral health care services.

As the bill was amended, the original purpose of relating to first responders was changed to relating to vulnerable persons. With the change in purpose, the MO Constitution was violated – Specifically, Article III, sections 21 and 23 ("No bill shall contain more than one subject which shall be clearly expressed in its title,..."). The following amendments caused the constitutional conflict: the requirement of the Department of Health and Senior Services to offer a The original purpose of SB 45 was solely relating to Medicaid services for certain low-income women. Under this act, MO Healthnet coverage for these low-income women will include full Medicaid benefits for the duration of the pregnancy and for one year following the end of the pregnancy.

In the bill's text, section 208.151. 1. (28), it reads, a woman will receive "medical assistance during the pregnancy and during the twelve-month period that begins on the last day of the pregnancy...." This language provides no clear indication of what constitutes the last day of (or end of) the pregnancy. Of course, expectant parents look forward with the hope of the delivery of a healthy child. Unfortunately, pregnancies sometimes end in miscarriage. And, even though our state does not allow for surgical abortions within the state's borders, abortion can end a pregnancy (as a result of an elective abortion performed out of state or by chemical means within or outside the borders of our state).

The perfected version of the bill included this language: "A woman shall be enrolled in benefits under this subdivision when her child is enrolled in the MO HealthNet program or the children's health insurance program or when a physician or the managed care plan notifies the MO HealthNet program of the pregnancy ending involuntarily or necessarily to save the life of the mother."

This language ensured that Missouri taxpayers would not be unjustly burdened with the responsibility of giving aid to a woman who murdered her developing, yet to be born, child. Unfortunately, the language was removed from the bill prior to being Truly Agreed and Finally Passed.

RSMo 1.205 clearly states that Missouri believes that life begins at conception. If we truly believe that a developing human baby is deserving of all the protections afforded persons outside of the womb, we must hold that only those who value that life will be extended benefits aimed at pregnant women (during and after pregnancy).

Current Missouri law prevents taxpayer money from subsidizing abortions. Senate Bill 45 allows for expanding Medicaid to women who have had abortions. Based upon this fact, I urge Governor Parson to veto CCS/HCS/SS/SCS/SBs 45 & 90.



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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – HCS/SS/SCS/SB 70

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 70 was solely relating to the counseling interstate compact. The compact creates a joint public agency known as the Counseling Compact Commission. The commission has powers and duties as listed in the compact and shall enforce the provisions and rules of the compact. The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licenses, adverse actions, and investigative information on all licensed individual in member states.

The purpose of SB 70 appears clear enough.

However, a Senate Committee Substitute changed the bill's title to relating to professional counselors. As a result of the expanded title, an amendment was added to repeal a current provision of law and implement another permitting any person who, for at least a year, has held a valid, current license issued by another state, a branch of the military, a U.S. territory, or the District of Columbia, to apply for an equivalent Missouri license. This version, with the expanded purpose, was perfected.

While in the House, the bill was amended with an assortment of amendments relating to: health profession grants and loans; prescription labeling requirements; physical therapists; physician assistants; social workers; opioid overdoses and fentanyl testing; and tattooing.

I guess tattoo artists, like cosmetologists offer a certain amount of counseling to their clients. Of course, that's absurd! And, considering this amendment alone, the bill exceeded the original purpose.

With these amendments, HCS/SS/SCS/SB 70 was Truly Agreed and Finally Passed.

It should be clear, using basic logic, that the final version of SB 70 was amended well beyond the scope of the original bill and directly contradicts the Constitution, Article III, section 21 and section 23 ("No bill shall contain more than one subject which shall be clearly expressed in its title...").

These amendments are clearly not germane to the bill's original purpose. Therefore, I encourage Governor Parson to use consistent logic used for SCS/HB 2090 (2022) and SS/SCS/HB 2562 (2018) and veto HCS/SS/SCS/SB 70.



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CONSTITUTIONAL OBJECTION – HCS/SS/SB 75

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 75 was solely relating to public school retirement systems. The act modifies provisions relating to public school retirement systems.

While in the House, the bill’s title was amended to relating to retirement systems. This change expanded the scope of the bill, directly contradicting the Constitution, Article III, section 21.

In addition, our state’s constitution states in Article III, section 23: “No bill shall contain more than one subject which shall be clearly expressed in its title...” The unmistakable subject of HCS/SS/SB 75, in the original bill, was solely relating to public school retirement systems.

Yet, with the new title, the following amendments were added: sheriff’s retirement system; surviving spouse benefits for members of the St. Louis police retirement system; modifications to the judicial plan retirement system; the establishment of the Show-me my retirement savings plan; speech implementers certification and social security coverage; the closing of public institution meetings, records, and votes regarding financial transactions with business entities.

During an inquiry with the bill sponsor, I asked whether the bill’s title was changed for the purpose of adding the amendments. The bill sponsor answered in the affirmative. Therefore, the original bill’s purpose, which was clearly reflected in the original title, had to be changed in order to be broad enough to include the amendments – evidence enough to conclude that the state constitution was ignored (violated).

These amendments are clearly not germane to the bill’s original purpose. Therefore, I encourage Governor Parson to employ consistent logic used in 2018 when Senate Substitute for Senate Committee Substitute for HB 2562 was vetoed and in 2022, when SCS/HB 2090 was vetoed. Alternatively, simply take the bill sponsors word for it – the title was changed in order for the unrelated, to the original bill, elements to be included. Please veto HCS/SS/SB 75.



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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – HCS/SS/SCS/SB 106

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 106 was relating to patient examinations. Under this act, no health care provider, or any student under the supervision of a health care provider, shall perform a patient examination upon an anesthetized or unconscious patient. The Senate perfected this version.

While in the House, a HCS/SS/SCS/SB 106 was offered and passed. The following amendments were adopted: special education records; breast examinations; MO Healthnet for pregnant and postpartum women (with the pro-Life language removed); mental health coordinators; behavioral health services for certain accused persons; and lead poisoning.

These changes expanded the scope of the bill, directly contradicted the Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title...”). The obvious subject of HCS/SS/SCS/SB 106, in the original bill, was solely relating to patient examinations.

These amendments are clearly not germane to the bill's original purpose. Furthermore, since the language from SB 45 (Medicaid coverage for pregnant and post-partum women), excludes the language clearly defining when a pregnancy ends. I encourage Governor Parson to use the same logic employed in 2018 when SS/SCS/HB 2562 and SCS/HB 2090 in 2022 were vetoed, and veto HCS/SS/SCS/SB 106.



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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/HCS/SB 109

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 109 was relating to mining. Under this act, the number of representatives is established at eight, with no more than four from any one of the following industries: limestone quarry operators; granite mining; clay mining; sandstone mining; barite mining; other non-metallic surface mining; or sand or gravel mining.

As the bill was amended, language was added which appears to exceed the original scope of the bill. The Truly Agreed and Finally Passed version, CCS/HCS/SB 109 included the following additions: distribution of mining revenue from national forest reserves; modification of membership of industrial minerals advisory council; flood resiliency act; sunset fee extension within the Department of Natural Resources; regulation of production of minerals for commercial purposes; regulator action by the Department of Natural Resources; Modification of certain environmental severability provisions; earthen basins; clean water fee structure; and distribution of moneys from a specified administrative order to certain school districts.

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 ("No bill shall contain more than one subject which shall be clearly expressed in its title...") cause the original intent of the bill to be exceeded.

These amendments are clearly not germane to the bill's original purpose. Therefore, I encourage Governor Parson to use the same logic used in 2018 when Senate Substitute for Senate Committee Substitute for HB 2562 and in 2022 when Senate Committee Substitute for HB 2090 were vetoed, and veto CCS/HCS/SB 109.



Mike Moon
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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/HCS/SS/SB 111

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of SB 111 was relating to the payment of salaries out of the state treasury. This act allows salaries to be paid out once every two weeks.

The Truly Agreed and Finally Passed version, CCS/HCS/SS/SB 111 added the elimination of the personal advisory board, giving all its duties to the director of the personnel division and the commissioner of administration.

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title,...”) cause the original intent of the bill to be exceeded.

The final version of the bill is clearly not germane to the bill’s original purpose. Therefore, I encourage Governor Parson to veto CCS/HCS/SS/SB 111, using the same logic used for SCS/HB 2090 (2022) and SS/SCS/HB 2562 (2018).



Mike Moon
District 29

Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/SS/SCS/SB 127

Missouri’s Constitution states, in Article III, section 38 (a), “The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation, excepting aid in public calamity, and general laws providing for pensions for the blind, for old age assistance, for aid to dependent or crippled children or the blind, for direct relief, for adjusted compensation, bonus or rehabilitation for discharged members of the armed services of the United States who were bona fide residents of this state during their service, and for the rehabilitation of other persons. Money or property may also be received from the United States and be redistributed together with public money of this state for any public purpose designated by the United States.”

CCS/SS/SCS/SB 127 “provides that beginning August 28, 2023, all costs associated with the designation of bridges or highways honoring deceased Missouri veterans who died in the line of duty, Missouri members of the Armed Forces who are missing in action, deceased Missouri law enforcement officers who died in the line of duty, or deceased Missouri firefighters who died in the line of duty shall be paid by the Department of Transportation.”

While all veterans and firefighters deserve proper recognition and honor, unless the state constitution is amended, the costs of such recognition must be borne by private funds. With this in mind, Governor Parson, being bound by his oath to support the MO Constitution, is urged to veto CCS/SS/SCS/SB 127.



Mike Moon
District 29

Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – HS/HCS/SS/SB 138

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 138 was relating to promoting Missouri hardwood. This act requires the Department of Economic Development to promote Missouri hardwood forest products and educate the public on the value and benefit of such products.

The purpose of the Truly Agreed and Finally Passed version, HS/HCS/SS/SB 138 was changed to relating to agriculture. With the change from the original purpose, the following changes were made to the bill: state coordinate system; waterways and ports trust fund; tax credit for ethanol blend and biodiesel fuel; business income deduction; tax credit for certain farmers; flood resiliency program; duties of the

Department of Agriculture, including modification of fee structures; pesticide certification and training; requirements for log trucks; veterinary student loan repayment program; and the repeal for certain provisions relating to hemp.

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title,...”) are clearly different from the original intent of the bill.

While it is true that our great state has abundant and grand resources, it is not a proper function of government to promote private business. Doing so appears to be in violation of MO Constitution, Article I, section 2 “That all constitutional government is intended to promote the general welfare of the people; that all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry; that all persons are created equal and are entitled to equal rights and opportunity under the law; that to give security to these things is the principal office of government, and that when government does not confer this security, it fails in its chief design.”

For the state government to promote a private industry seems to violate the MO Constitution, Article III, section 38 (a), The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation, excepting aid in public calamity, and general laws providing for pensions for the blind, for old age assistance, for aid to dependent or crippled children or the blind, for direct relief, for adjusted compensation, bonus or rehabilitation for discharged members of the armed services of the United States who were bona fide residents of this state during their service, and for the rehabilitation of other persons. Money or property may also be received from the United States and be redistributed together with public money of this state for any public purpose designated by the United States,” as it relates to the use of public money.

Therefore, Governor Parson is encouraged to employ the same logic used to veto SS/SC/HB 2562 (2018) and SCS/HB 2090 (2022) and veto HS/HCS/SS/SB 138.



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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/SS/SB 139

Missouri’s Constitution states, in Article III, section 38 (a), “The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation, excepting aid in public calamity, and general laws providing for pensions for the blind, for old age assistance, for aid to dependent or crippled children or the blind, for direct relief, for adjusted compensation, bonus or rehabilitation for discharged members of the armed services of the United States who were bona fide residents of this state during their service, and for the rehabilitation of other persons. Money or property may also be received from the United States and be redistributed together with public money of this state for any public purpose designated by the United States.”

CCS/SS/SB 139 “provides that beginning August 28, 2023, all costs associated with the designation of bridges or highways honoring deceased Missouri veterans who died in the line of duty, Missouri members of the Armed Forces who are missing in action, deceased Missouri law enforcement officers who died in the line of duty, or deceased Missouri firefighters who died in the line of duty shall be paid by the Department of Transportation.”

While all veterans and firefighters deserve proper recognition and honor, unless the state constitution is amended, the costs of such recognition must be borne by private funds. With this in mind, Governor Parson, being bound by his oath to support the MO Constitution, is urged to veto CCS/SS/SB 139.



Mike Moon
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Also,

May 30, 2023

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CONSTITUTIONAL OBJECTION – CCS/HCS/SS/SCS/SB 157

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 157 was relating to collaborative practice arrangements with nurses. This act modifies collaborative practice arrangements regarding geographic proximity between nurses and physicians.

The purpose of the Truly Agreed and Finally Passed version, CCS/HCS/SS/SCS/SB 157 was changed to relating to the professions requiring licensure. With the change from the original purpose, the following topics were added to the bill: opioid overdoses; health professional loans and grants; advance health care directives; death certificates; advanced practice registered nurses; prescription labeling requirements; pesticide certification and training; animal chiropractic practitioners; assistant physicians; the interstate medical licensure compact; physical therapists; physician assistants; professional counselors; social workers; the administration of medications by pharmacists; nursing home administrators; and tattooing.

Can a person, using ordinary logic, conclude that tattooing and/or pesticide certification and training is in any way related to collaborative practice arrangements with nurses (the original purpose of SB 157)?

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title,...”) are clearly different from the original intent of the bill.

Since it appears that the MO Constitution has been violated with regard to the Truly Agreed and Finally Passed version, Governor Parson is encouraged to employ the same logic used to veto SS/SC/HB 2562 (2018) and SCS/HB 2090 (2022) and veto CCS/HCS/SS/SCS/SB 157.



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May 30, 2023

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Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – CCS/HCS/SB 186

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 186 was relating to criminal offenses involving teller machines. The act adds to the offense of property damage in the first degree if such a person knowingly damages, modifies, or destroys a teller machine or otherwise makes it inoperable.

The purpose of the Truly Agreed and Finally Passed version, CCS/HCS/SB 186 was changed to relating to the professions requiring licensure. With the change from the original purpose, the following topics were added to the bill: office of child advocate; fees to highway patrol; missing children; Missouri rap back program; court fees for service of process; sheriff’s retirement fund; telecommunicator first responders; emergency medical services; residency requirements for City of St. Louis police officers and public safety; compensation for peace officers; public safety sales taxes; emergency medical dispatchers; emergency medical technicians; sales tax for emergency services; emergency telephone service charges; peer support counseling programs; first responders administering naloxone; background checks for marijuana facilities; child placement; voluntary critical illness benefits pool; back the blue license plates; qualifications of fire protection employees; fire protection sales tax; financial institutions; scrap yards; bail; credit for time served; offense of stealing; firearms in schools; offense of tampering with a judicial officer; offense of interference with transportation of livestock; offense of distribution of a drug masking product; fentanyl testing; chief of police training; peace office basic training; disciplinary procedures for peace officers; peace officer tuition reimbursement; electronic notification to victims of certain crimes; closed records; and personal documents for exonerees.

Literally, not one of the amendments is germane to the original bill. I guess an argument could be made that there is a relation, in that, they all contain letters in the English alphabet!

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title,...”) are clearly different from the original intent of the bill.

Since it appears that the MO Constitution has been violated with regard to the Truly Agreed and Finally Passed version, Governor Parson is encouraged to employ the same logic used to veto SS/SC/HB 2562 (2018) and SCS/HB 2090 (2022) and veto CCS/HCS/SB 186.



Mike Moon
District 29

Also,

May 30, 2023

Kristina Martin
Secretary of the Senate
201 W. Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SS/SCS/SB 189, 36 and 37

Missouri’s Constitution states, in Article III, section 21, “... no bill shall be so amended through its passage through either house as to change its original purpose.” The original purpose of SB 189 was relating to law enforcement animals. This act provides that the offense of assault on a law enforcement animal is a Class A misdemeanor, if the law enforcement animal is not injured to the point of requiring veterinary care or treatment; a Class E felony if the law enforcement animal is seriously injured to the point of requiring veterinary care or treatment; a Class D felony if the assault result in the death of such animal.

The purpose of the Truly Agreed and Finally Passed version, SS for SCS for SBs 189, 36 and 37 was changed to relating to the professions requiring licensure. With the change from the original purpose, the following topics were added to the bill: office of child advocate; fees to highway patrol; missing children; Missouri rap back program; court fees for service of process; sheriff’s retirement fund; telecommunicator first responders; emergency medical services; residency requirements for City of St. Louis police officers and public safety; compensation for peace officers; public safety sales taxes; emergency medical dispatchers; emergency medical technicians; sales tax for emergency services; emergency telephone service charges; peer support counseling programs; first responders administering naloxone; background checks for marijuana facilities; child placement; voluntary critical illness benefits pool; back the blue license plates; qualifications of fire protection employees; fire protection sales tax; financial institutions; scrap yards; bail; credit for time served; offense of stealing; firearms in schools; offense of tampering with a judicial officer; offense of interference with transportation of livestock; offense of distribution of a drug masking product; fentanyl testing; chief of police training; peace office basic training; disciplinary procedures for peace officers; peace officer tuition reimbursement; electronic notification to victims of certain crimes; closed records; and personal documents for exonerees.

These changes, as viewed in relation to the state Constitution, Article III, section 21 and 23 (“No bill shall contain more than one subject which shall be clearly expressed in its title,...”) are clearly different from the original intent of the bill.

Since it appears that the MO Constitution has been violated with regard to the Truly Agreed and Finally Passed version, Governor Parson is encouraged to employ the same logic used to veto SS/SC/HB 2562 (2018) and SCS/HB 2090 (2022) and veto SS for SCS for SBs 189, 36 and 37.



Mike Moon
District 29

Also,

May 30, 2023

Kristina Martin
Secretary of the Senate
201 W. Capitol Avenue
Jefferson City, MO 65101

CONSTITUTIONAL OBJECTION – SS/HB 202

Missouri's Constitution states, in Article III, section 21, "... no bill shall be so amended through its passage through either house as to change its original purpose." The original purpose of HB 202 was solely relating to industrial hemp. The act repeals the Industrial Hemp Regulatory Program in Missouri.

Prior to being Truly Agreed and Finally Passed, the bill's purpose was changed to relating to environmental control. This change, expanding the scope of the bill, directly contradicted the Constitution, Article III, section 21.

In addition, our state's constitution states in Article III, section 23: "No bill shall contain more than one subject which shall be clearly expressed in its title,..." The subject of HB 202, in the original bill, was solely relating to industrial hemp.

With the change from the original purpose and altered title: relating to environmental regulation, a boatload of additional topics were added to the bill: land surveys; waterways and ports trust fund; fuel tax credits; agriculture-related tax deductions; duties of the department of agriculture; flood resiliency; the promotion of hardwood forest products; and large animal veterinary student loan program.

With this broader title, the amendments added to HB 202, which were not clearly expressed in the original title, rendered the bill in violation of our state constitution. Therefore, I encourage Governor Parson to be consistent in the logic used 2018, when Senate Substitute for Senate Committee Substitute for HB 2562 was vetoed, in 2022, when Senate Committee Substitute for HB 2090 was vetoed, and veto SS/HB 202.



Mike Moon
District 29

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SB 20**, **HCS** for **SS** for **SB 24**, **HCS** for **SS** for **SCS** for **SB 40**, **CCS** for **HCS** for **SS** for **SCS** for **SBs 45** and **90**, **HCS** for **SS** for **SCS** for **SB 70**, **HCS** for **SS** for **SB 75**, **HCS** for **SS** for **SCS** for **SB 106**, **CCS** for **HCS** for **SB 109**, **CCS** for **HCS** for **SS** for **SB 111**, **CCS** for **SS** for **SCS** for **SB 127**, **HS** for **HCS** for **SS** for **SB 138**, **CCS** for **SS** for **SB 139**, **CCS** for **HCS** for **SS** for **SCS** for **SB 157**, **CCS** for **HCS** for **SB 186**, and **SS** for **SCS** for **SBs 189**, **36**, and **37**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objections notwithstanding, the bills would be signed by the President Pro Tem to the end that they may become law. The bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **SS** for **HB 202**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objections notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SB 13**, **CCS** for **SB 20**; **HCS** for **SS** for **SB 24**, **SS** for **SB 25**, **CCS** for **SB 28**, **SB 34**, **SS** for **SB 35**, **SS No. 2** for **SB 39**, **HCS** for **SS** for **SCS** for **SB 40**, **CCS** for **HCS** for **SS** for **SCS** for **SBs 45** and **90**, **SS No. 2** for **SCS** for **SBs 49**, **236**, and **164**, **SB 63**, **HCS** for **SS** for **SCS** for **SB 70**, **HCS** for **SS** for **SB 75**, **SS** for **SCS** for **SBs 94**, **52**, **57**, **58**, and **67**, **HCS** for **SB 101**, **HCS** for **SCS** for **SB 103**, **HCS** for **SS** for **SCS** for **SB 106**, **CCS** for **HCS** for **SB 109**, **CCS** for **HCS** for **SS** for **SB 111**, **SS** for **SB 116**, **CCS** for **SS** for **SCS** for **SB 127**, **HS** for **HCS** for **SS** for **SB 138**, **CCS** for **SS** for **SB 139**, **CCS** for **HCS** for

SS for SCS for SB 157, SS for SCS for SBs 167 and 171, CCS for HCS for SB 186, and SS for SCS for SBs 189, 36, and 37, SS for SB 190, SS for SB 227, and HCS for SS for SCS for SB 398, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

**CONCURRENT RESOLUTIONS
DELIVERED TO THE GOVERNOR**

HCS for SCR 7, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

**JOINT RESOLUTIONS
DELIVERED TO THE SECRETARY OF STATE**

SJR 26, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Secretary of State by the Secretary of the Senate.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR
STATE OF MISSOURI
May 15, 2023

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
102nd GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15 entitled:

AN ACT

To appropriate money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2023.

Section 15.156

I hereby veto \$25,000 for the purpose of funding audit costs. Article IV, Section 25 of the Constitution of Missouri states that, "Until it acts on all the appropriations recommended in the budget, neither house of the general assembly shall pass any appropriation other than emergency appropriations recommended by the governor." Emergency appropriations adopted but not included in the governor's recommendations would fail to follow the aforementioned constitutional article, which is why I am vetoing this funding. Also, funding for this purpose has been included in the Fiscal Year 2024 budget for the Missouri Department of Transportation. Accordingly, an emergency supplemental appropriation for this purpose is not necessary.

Said section is vetoed in its entirety from \$25,000 to \$0 from State Transportation Fund.

From \$25,000 to \$0 in total for the section.

On May 15, 2023 I approved said Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15, except for those items specifically vetoed and not approved.

Respectfully submitted,
Michael L. Parson
Governor

On motion of Senator Rowden, the Senate adjourned pursuant to the Constitution.

MIKE KEHOE

Lieutenant Governor

KRISTINA MARTIN

Secretary of the Senate