

# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-EIGHTH DAY - THURSDAY, MAY 30, 2024**

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The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

## RESOLUTIONS

On behalf of Senator Mosely, Senator Rowden offered Senate Resolution No. 1060, regarding Legacy Jackson, St. Louis, which was adopted.

On behalf of Senator Mosely, Senator Rowden offered Senate Resolution No. 1061, regarding Jocelyn Marie Ryan, St. Louis, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 1062, regarding Sergeant Nicole Ellzey, Barnett, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1063, regarding Maurice “Moe” Erwin Berlekamp, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1064, regarding Michael Irvin Cook, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1065, regarding Robert “Bob” Edward Fuhrmann, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1066, regarding Gale Bevey Going, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1067, regarding Ernst William “Bill” Truemper, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1068, regarding Ralph Ernst Truemper, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1069, regarding Clifton “Cliff” Eugene Sanders, St. Louis, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1070, regarding Grant Stuart Jensen, Affton, which was adopted.

On behalf of Senator Beck, Senator Rowden offered Senate Resolution No. 1071, regarding Roger James Morgan, St. Louis, which was adopted.

On behalf of Senator Eslinger, Senator Rowden offered Senate Resolution No. 1072, regarding Peter F. Herschend, Branson, which was adopted.

On behalf of Senator Brown (26), Senator Rowden offered Senate Resolution No. 1073, regarding Dr. Donald Claycomb, Linn, which was adopted.

On behalf of Senator Brown (26), Senator Rowden offered Senate Resolution No. 1074, regarding Daniel M. Buescher, Washington, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 1075, regarding Dr. Margie Vandeven, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1076, regarding Richard Lee Chamberlain, Wentzville, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1077, regarding Mark Edgar Morrison, Wentzville, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1078, regarding Thomas “Tom” Lee Van Hook, Foristell, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1079, regarding Harold Earl Anderson, Wentzville, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1080, regarding John Mark Bland, O’Fallon, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1081, regarding Michael “Mike” Gene Norris, O’Fallon, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1082, regarding Katelyn Bigard, Weldon Spring, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1083, regarding Alivia Bartlow, O’Fallon, which was adopted.

On behalf of Senator Schroer, Senator Rowden offered Senate Resolution No. 1084, regarding Jordan Dale, Wentzville, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 1085, regarding Heather Schollmeyer, Centertown, which was adopted.

Senator Rowden offered Senate Resolution No. 1086, regarding the Boone County Historical Society, Columbia, which was adopted.

On behalf of Senator Mosely, Senator Rowden offered Senate Resolution No. 1087, regarding the death of Preston “Tink” Jamón Jones, Sr., Jennings, which was adopted.

On behalf of Senator Mosely, Senator Rowden offered Senate Resolution No. 1088, regarding the death of Paul L. Jones, Sr., Jennings, 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 **SS for SB 748, SS for SB 751, SS No. 2 for SCS for SBs 754, 746, 788, 765, 841, 887, and 861, SS for SCS for SB 756, SS for SB 802, SS No. 2 for SB 872, SS for SCS for SBs 894 and 825, SS for SB 895, HCS for SS for SCS for SB 912, SS for SB 1111, SS for SB 1296, HCS for SS for SB 1359, SB 1388, SB 1453, SS for SCS for SJR 71, and SS for SJR 78**, begs leave to report that it has examined the same and finds that the bills and joint 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 **SS for SB 748, SS for SB 751, SS No. 2 for SCS for SBs 754, 746, 788, 765, 841, 887, and 861, SS for SB 802, SS No. 2 for SB 872, SS for SCS for SBs 894 and 825, SS for SB 895, SS for SB 1111, SS for SB 1296, SB 1388, SB 1453, SS for SCS for SJR 71, and SS for SJR 78**, 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 resolutions would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills and joint resolutions 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 1912, SS for SCS for HCS for HB 2004, SS for SCS for HCS for HB 2009, SS for SCS for HCS for HB 2012, SS for SCS for HCS for HB 2013, SS for SCS for HCS for HB 2017, SS for SCS for HCS for HB 2018, SS for SCS for HCS for HB 2019, SS for SCS for HCS for HB 2020, HB 2057, HB 2111, SS for SCS for HCS for HBs 2134 and 1956, HB 1495, and HB 1909**, 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.

## **OBJECTIONS**

Senator Moon submitted the following:

May 21, 2024

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

### **CONSTITUTIONAL OBJECTION – SS/SCS/SB 756**

Missouri's Constitution states, in Article I, section 2, "In order to assert our rights, acknowledge our duties, and proclaim the principles on which our government is founded, we declare: 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."

The operative phrase in this section of the Missouri Bill of Rights is, “that all persons are created equal and are entitled to equal rights and opportunity under the law;...” It is true, many Missourians are ‘suffering’ from the high costs of goods, rising inflation, and increased taxation. While it is good and proper for Missouri government to do all it can to create an environment in which Missouri residents can live and prosper, it must do so within the confines of the law.

Not only are Missouri seniors overburdened due to fixed incomes and the ever-increasing financial demands, so are Missouri residents across all age spectrums. Missouri government must consider what can be done to ease the weight of taxation for all concerned. Missouri government must not create special classes. Tax relief must be made available to every Missouri taxpayer. Each and every Missouri resident must be treated equally and be offered the opportunity to “the enjoyment of the gains of their own industry;...”

Therefore, in order “to give security to these things [which] is the principle office of government,” (as noted in Article I, section 2 of our state’s constitution) Governor Parson is urged to veto SS/SCS/SB 756. Otherwise, Missouri’s government has “fail[ed] in its chief design.”



Mike Moon  
District 29

Also,

May 21, 2024

Kristina Martin  
Secretary of the Senate  
201 W. Capitol Avenue  
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#### **CONSTITUTIONAL OBJECTION – HCS/SS/SCS/SB 912**

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 912 was solely relating to disabled license plates and windshield placards for military veterans (RsMO 301.142).

As has become commonplace in the legislative process, especially during the last few weeks of the legislative session, Representatives and Senators are convinced that in order for their legislation to reach the Governor’s desk, topics unrelated to the original purpose must be joined together in order to pass as many bills as possible.

Prior to being Truly Agreed and Finally Passed, the purpose of HCS/SS/SCS/SB 912 was changed to relating to Military Affairs to allow for the following additions (along with the associated revised statute citations): Missouri Veteran’s Commission’s efforts on Veteran suicide (RsMO 42.022); information of services by state agencies for Veterans (42.051); operation Enduring Freedom, operation Freedom’s Sentinel, & operation Allies Refuge Program (RsMO 42.312); military members serving as election judges (RsMO 115.085); armed forces income tax deduction (RsMO 143.174 and 143.175); educational assistance for Missouri National Guard (RsMO 173.239); POW/MIA SSG Paul Hasenbeck Memorial Highway (RsMO 227.854); Veteran designation on driver’s licenses (RsMO 302.188); uniform deployed parents custody and visitation act (452.1200); and the Missouri veterans and jobs opportunity grant program (RsMO 620.3305). These changes, expanding the scope of the bill, directly contradict the Constitution, Article III, section 21.

Without the changed title (purpose), it would have been impossible to add the unrelated topics. For example, how is ‘educational assistance for Missouri National Guard’ members or the ‘armed forces income tax deduction’ related to license plates or window placards?

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 SB 912, the original bill, was solely relating to disabled license plates and windshield placards for military veterans.

Given the court’s December 19, 2023, decision regarding HB 1606 (2022) and the January 30, 2024, decision on SB 26 (2021), I encourage Governor Parson to be consistent with the court and the logic used in 2018, when he vetoed Senate Substitute for Senate Committee Substitute for HB 2562 in 2022, and Senate Committee Substitute for HB 2090, and veto HCS/SS/SCS/SB 912.



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**CONSTITUTIONAL OBJECTION – SB 1359**

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 1359 was solely relating to insurance companies.

As has become commonplace in the legislative process, especially during the last few weeks of the session, legislators are convinced that in order for their bills to reach the Governor’s desk, topics unrelated to the original purpose are joined together in order to get as many bills passed as possible.

Prior to being Truly Agreed and Finally Passed, the purpose of HCS/SS/SB 1359 was changed to relating to financial institutions to allow for the following additions (along with the associated revised statute citations): depository institutions for municipalities (RsMO 110.075, 95.280, 95.285, 95.355); Hospitals (RsMO 205.160, 205.165, and 205.190), Cancer Treatment under MO Healthnet (RsMO 205.151); motor vehicle financial responsibility (RsMO 303.425, 303.430, and 303.440); money transmission modernization act of 2024 (RsMO chapter 361); private trust companies (RsMO 362.245); Missouri family trust company act (RsMO 362.1010); insurance documents (RsMO 374.190 and 374.192); continuing education for funeral and burial insurance producers (RsMO 375.020); disposition of certain re-insurance contracts (RsMO 375.1183); assignment of insurance benefits (RsMO 376.427); methods of re-imbusement to health care providers (RsMO 36.1345); self-service storage insurance (RsMO 379.1640); mutual insurance companies (RsMO 380.621 and 380.631); real estate loans (RsMO 408.035); charges for cost of credit reports (RsMO 408.140); commercial financing disclosure law (RsMO 427.300) real estate transactions (RsMO 442.210); and qualified spousal trusts (RsMO 456.950). These changes, expanding the scope of the bill, directly contradict 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 HCS/SS/SB 1359, in the original bill, was solely relating to insurance companies.

While some of the amendments adopted may be germane to the bill’s original purpose, it may require a magician to find a relation between hospitals or cancer treatment and financial institutions. Unless hospitals are considered financial institutions, due to the enormous amounts of money taken in as a result of the services provided, the relationship may be difficult to find. As for cancer treatments, I’m still ‘scratching my head’ to find a connection.

With this broader title, the amendments added to SB 1359, which were not clearly expressed in the original title, caused the bill to be in violation of our state constitution. Given the court’s December 19, 2023, decision regarding HB 1606 (2022) and the January 30, 2024, decision on SB 26 (2021), I encourage Governor Parson to be consistent with the court’s and 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 SB 1359.



Mike Moon  
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Also,

May 21, 2024

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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2002**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 2.050, 2.061, 2.073, 2.098, 2.042, 2.143, et cetera, totaling \$5,600,000.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court’s interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: “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” – none other.

Missouri’s Constitution, Article I, section 2 states, “... That all constitutional government is intended to promote the general welfare of the people;...” MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people’s money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court’s decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2002.



Mike Moon  
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Also,

May 21, 2024

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#### **CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2003**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

Several examples of the appropriation of public funds to private entities can be found in section 3.135 totaling \$2,500,000.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court’s interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: “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” – none other.

Missouri’s Constitution, Article I, section 2 states, “... That all constitutional government is intended to promote the general welfare of the people;...” MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people’s money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court's decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2003.



Mike Moon  
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Also,

May 21, 2024

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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2005**

Missouri's Constitution states, in Article III, section 38(a), "The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation." This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, "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." However, the operative word 'public' appears to make it clear that the 'public' funds may only be combined with other 'public' funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 5.230, totaling \$17,500,000.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court's interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: "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" – none other.

Missouri's Constitution, Article I, section 2 states, "... That all constitutional government is intended to promote the general welfare of the people;..." MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people's money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court's decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2005.



Mike Moon  
District 29

Also,

May 21, 2024

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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2006**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 6.020 and 6.356, totaling \$3,596,000.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court’s interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: “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” – none other.

Missouri’s Constitution, Article I, section 2 states, “... That all constitutional government is intended to promote the general welfare of the people;...” MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people’s money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court’s decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2006.



Mike Moon  
District 29

Also,

May 21, 2024

Kristina Martin  
Secretary of the Senate  
201 W. Capitol Avenue  
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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2007**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 7.015, 7.020, 7.021, 7.025, 7.030, 7.031, 7.049, 7.107, 7.125, totaling \$16,270,000.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court’s interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: “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.”



Missouri's Constitution, Article I, section 2 states, "... That all constitutional government is intended to promote the general welfare of the people;..." MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people's money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court's decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto SS/SCS/HCS/HB 2007.



Mike Moon  
District 29

Also,

May 21, 2024

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

**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2008**

Missouri's Constitution states, in Article III, section 38(a), "The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation." This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, "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." However, the operative word 'public' appears to make it clear that the 'public' funds may only be combined with other 'public' funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 8.231, totaling \$1,000,000.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court's interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: "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" – none other.

Missouri's Constitution, Article I, section 2 states, "... That all constitutional government is intended to promote the general welfare of the people;..." MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people's money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court's decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2008.



Mike Moon  
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Also,

May 21, 2024

Kristina Martin  
 Secretary of the Senate  
 201 W. Capitol Avenue  
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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2010**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 10.092, 10.105, 10.110, and 10.125, totaling \$5,900,144.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court’s interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: “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” – none other.

Missouri’s Constitution, Article I, section 2 states, “... That all constitutional government is intended to promote the general welfare of the people;...” MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people’s money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court’s decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2010.



Mike Moon  
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Also,

May 21, 2024

Kristina Martin  
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 201 W. Capitol Avenue  
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**CONSTITUTIONAL OBJECTION – SS/SCS/HCS/HB 2011**

Missouri’s Constitution states, in Article III, section 38(a), “The general assembly shall have no power to grant public money or property, ..., to any private person, association or corporation.” This appropriation bill is replete with attempts to award public funds to entities specifically prohibited by our state constitution.

In the same section it states, “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.” However, the operative word ‘public’ appears to make it clear that the ‘public’ funds may only be combined with other ‘public’ funds – not private funds.

Examples of the appropriation of public funds to private entities can be found in sections 11.155, 11.157, 11.158, 11.160, 11.161, 11.165, 11.171, 11.191, 11.192, 11.201, 11.230, 11.231, 1.232, 11.233, 11.234, 11.235, 11.236, 11.237, 11.238, 11.239, 11.240, 11.241, 11.242, 11.243, 11.245, 11.246, 11.247, 11.248, 11.249, 11.251, 11.257, 11.260, 11.265, 11.266, 11.267, 11.268, 11.280, 11.340, 11.408, and 11.409, totaling \$79,488,016.

In addition, in *Curchin v. Missouri Industrial Development Board*, 722 S.W.2d 930 (Mo. Banc 1987), the court decided that a grant of public money to a private person, association, or corporation is constitutional if for a public purpose. The court's interpretation of the MO Constitution, Article III, section 38(a) does not change the intent of the article. The section in question specifies certain exceptions: "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" – none other.

Missouri's Constitution, Article I, section 2 states, "... That all constitutional government is intended to promote the general welfare of the people;..." MO government is to protect the people. One of the ways in which the government can, and should, protect the people is to follow the law as it relates to the use of the people's money.

Unless and until the MO Constitution is amended to specify that public funds may be granted to private entities, the court's decision should be held in contempt and disregarded.

Since it appears that the MO Constitution has been violated with regard to the unauthorized appropriation of public funds, Governor Parson is encouraged to veto the designated sections referenced above in SS/SCS/HCS/HB 2011.



Mike Moon  
District 29

Also,

May 21, 2024

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

#### **CONSTITUTIONAL OBJECTION – SS/HB 2062**

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 2062 was relating solely to moratorium on eviction proceedings (RsMO 535.012).

As has become commonplace in the legislative process, especially during the last few weeks of the session, legislators have been convinced that in order for their bills to reach the Governor's desk, bills must be joined together, often with unrelated topics, in order to get as many bills as possible passed.

Prior to being Truly Agreed and Finally Passed, the purpose of SS/HB 2062 was changed to relating to the use of real property to allow for the following additions (along with the associated revised statute citations): protecting Missouri's small business act (RsMO 44.251); electric vehicle charging infrastructure (RsMO 67.288); land banks (RsMO 140.010); public sewer district liens (RsMO 249.255); historic, rural revitalization and regulatory streamlining act (RsMO 253.533); home inspection (RsMO 436.337); pasturing of chickens (RsMO 442.404); and hydrant testing (RsMO 640.144). These changes, expanding the scope of the original bill, directly contradict the MO 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 SS/HB 2062, in the original bill, was solely moratorium on eviction proceedings.

Not one single amendment added to the original bill was germane to the original purpose. What, pray tell, is the relationship between moratorium on eviction proceedings and the pasturing of chickens, hydrant testing, or public sewer liens?

With this broader title, the amendments added to SS/HB 2062, which were not clearly expressed in the original title, rendered the bill to be in violation of our state constitution. Given the court's December 19, 2023, decision regarding HB 1606 (2022) and the January 30, 2024, decision on SB 26 (2021), I encourage Governor Parson to be consistent with the court's decision and the logic used in 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 2062.



Mike Moon  
District 29

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS for SCS for SB 756, HCS for SS for SCS for SB 912, and HCS for SS for SB 1359**, 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 SCS for HCS for HB 2002, SS for SCS for HCS for HB 2003, SS for SCS for HCS for HB 2005, SS for SCS for HCS for HB 2006, SS for SCS for HCS for HB 2007, SS for SCS for HCS for HB 2008, SS for SCS for HCS for HB 2010, SS for SCS for HCS for HB 2011, and SS for HB 2062**, 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.

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

**SS for SCS for SJR 71 and SS for SJR 78**, 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.

### **BILLS DELIVERED TO THE GOVERNOR**

**SS for SB 748, SS for SB 751, SS No. 2 for SCS for SBs 754, 746, 788, 765, 841, 887, and 861, SS for SCS for SB 756, SS for SB 802, SS No. 2 for SB 872, SS for SCS for SBs 894 and 825, SS for SB 895, HCS for SS for SCS for SB 912, SS for SB 1111, SS for SB 1296, HCS for SS for SB 1359, SB 1388, SB 1453**, 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.

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

MIKE KEHOE

Lieutenant Governor

KRISTINA MARTIN

Secretary of the Senate

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