



Missouri House passes bill to give Kansas City control over pay for police chief, officers
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Chief Shockey testified in favor of SB38 and presented language that would add in law mandatory Police Chiefs training with a minimum of 40 hours within 6 months after a new chief has been hired. Attached is a copy of the Bill.

SB 38 - Under current law, the POST Commission sets a minimum number of basic training hours for licensure for peace officers no lower than 470 hours and no higher than 600 with certain exceptions as provided in law. This act changes this requirement to be no lower than 600 hours.

Additionally, this act adds additional grounds for when the Director of the Department of Public Safety shall discipline peace officers. This act provides that any peace officer shall be disciplined who:

- Is unable to perform the function of a peace officer with reasonable competency or reasonable safety;
- Has been convicted, or has entered a plea of guilty or nolo contendere, in a criminal prosecution under any state laws, any federal laws, or any laws of another country, regardless if a sentence was imposed;
- Has committed any act that involves moral turpitude or a reckless disregard for the safety of the public;
- Has tested positive for a controlled substance without a valid prescription;
- Is subject to an order suspending or revoking a peace officer license from another state, territory, the federal government, or any peace officer licensing authority; or

- Has committed any act of gross misconduct indicating inability to function as a peace officer.

This act is identical to SB 689 (2022) and to provisions in SCS/HB 2088, et al (2022) and HB 2439 (2022).

*****It was supposed to be a short week due to the President's Day holiday, but the Senate chose to work on Monday. It was productive and fast paced, but tragedy, sadness and disdain was on the surface.

Janae Edmonson

For most of us in the Capitol, our minds were on Janae Edmonson. Janae is a 16-year-old student athlete visiting St. Louis with her parents for a volleyball tournament. Janae was hit by a speeding car in downtown St. Louis on Saturday. She was pinned between two cars and had to have both of her legs amputated as a result. Daniel Riley, the 21-year-old driver accused of causing the crash, was out of jail on bond following an armed robbery in St. Louis City in 2020. Court records show he has violated the conditions of his bond more than 50 times. Why was he behind the wheel of a car and not awaiting trial held without bond?

This may be the icing on the cake. On Wednesday, Senate President Caleb Rowden called for St. Louis City Circuit Attorney Kim Gardner to immediately resign for displaying gross incompetence. Attorney General Andrew Bailey also demanded that she resign by noon today or face immediate removal proceedings from his office. Many local elected officials in St. Louis also released statements asking the Circuit Attorney to take accountability for this and other preventable crimes. During an interview with KMOV, St. Louis City Mayor Jones said it is time for Kim Gardner to do some soul searching and that she has lost the trust of St. Louisans.

A Senate Remonstrance signed by every Republican member of the Missouri Senate was introduced on Thursday urging the City of St. Louis Circuit Attorney to resign immediately after Senator Denny Hoskins (R - Warrensburg) finished airing grievances over his sports wagering bill not making it out of committee. Senate Bill 658 sponsored Senator Bill Eigel (R – St. Charles) also introduced legislation and is calling for the immediate recall of the circuit attorney, mayor, and every member of the St. Louis City Board of Aldermen. You can listen to the full audio from this discussion [here](#).

After Kim Gardner failed to resign in time for Andrew Bailey's deadline, he issued a [press release](#) announcing he had filed a lawsuit to begin the process of removing her from office. Kim Gardner was reelected in 2020 and received 74% of the vote.

Your notes for the week and a general review is below. Thanks and have a good evening.

Committee Hearing Notes

Investments of Public Utilities

The Senate Committee on Commerce, Consumer Protection, Energy and the Environment convened Tuesday morning to consider passage of SB 140, sponsored by Senator Jason Bean (R-Peach Orchard). This bill allows investor owned gas and electric utilities to recover investments made in workforce development or areas of training. The rate of this recovery is capped at .55% of the annual total operating revenue for the years prior to 2023 through 2032. During committee discussion, substitute language was adopted to remove language in order to clarify the commission is only able to recoup any costs to the actual program and no other costs, and updated date references. Once modified, the committee passed the bill by a 6-5 vote.

Public Water Fluoridation

The House Health and Mental Health Policy Committee convened Tuesday morning to discuss HB 1040, sponsored by Representative Doyle Justus (R-Troy). The bill requires a local water system to notify DNR when it plans to start or stop including fluoridation in the water. The MO Dental Association, and the Executive Director of Missouri Coalition for Oral Health supported the bill and stated this bill does not control the local decision, just encourages people to take time to listen to their own country experts. No opposing testimony was presented.

Nuclear Clean Power Act

The House Utilities Committee convened Wednesday afternoon to discuss HB 225, sponsored by Representative John Black (R-Marshfield). The bill creates the "Missouri Nuclear Clean Power Act" and allows electrical corporations to charge for services based on the costs of certain construction projects in progress. City Utilities of Springfield, Electric Cooperatives of Missouri, and MO Public Utility Alliance supported the bill. The Sierra Club MO Chapter, AARP, Consumers Council of MO, Associated Industries of Missouri, Ford Motor Company, and Renew Missouri opposed the bill. MOST Policy Initiative, Missouri Office of the Public Council, and Ameren MO provided informational testimony and provided background on this issue and how it relates to the regulatory side of things.

Solid Waste Disposal Permits

The House Local Government Committee convened Tuesday morning to consider passage of HB 909, sponsored by Representative Mike Haffner (R-Pleasant Hill). Currently, the Department of Natural Resources is prohibited from issuing a permit for a solid waste disposal area which would serve a city with more than 400,000 people but is in more than one county, if the site is located within half a mile to an adjoining municipality without its approval and requires a public hearing within 15 days of providing public notice. The bill changes the distance from the adjoining municipality to one mile and requires the public hearing to be held within 30 days of providing public notice. During committee discussion, substitute language was adopted which changes

the ½ mile radius to a one mile radius on adjoining municipalities. Once modified, the committee passed the bill by a 14-0 vote.

In Brief...

- On Tuesday, Refresco, a leading global provider of beverage solutions, announced that it will expand in Truesdale, investing \$22 million and creating 30 new jobs. The company's investment in its existing Warren County location will increase capacity for beverage manufacturing through the installation of an additional production line. Refresco's Truesdale facility is its fourth and largest plant in Missouri. The company has 74 production locations across North America, Europe, and Australia that employ more than 13,000 people. In addition to expanding its Warren County facility, Refresco has made a significant contribution to support the Warren County R-III School District, faculty, alumni, and students.
- The Missouri State Veterans Commission announced they have been awarded a \$507,000 U.S. Department of Veterans Affairs grant to give a \$920 one-time payment to full-time support care assistants. It also allows the same amount to be given to workers hired into the same positions between March 1st and July 1st of this year. The Missouri Veterans Commission has been dealing with staffing shortages of frontline workers at the state's veteran's homes. During the last state budget year, veteran's homes dealt with a 55% vacancy rate for support care assistants and a 32% vacancy rate for senior support assistants. State Veterans Commission Executive Director Paul Kirchoff said certified medical technicians, certified nursing assistants, and the senior nursing assistants qualify for the payment.
- Wednesday afternoon, Missouri Attorney General Andrew Bailey that St. Louis Circuit Attorney Kimberly M. Gardner would face removal from office if she didn't resign by noon Thursday. He stated he would initiate "quo warranto" proceedings to remove Gardner if she did not resign. The action centers around whether a person has forfeited the legal right to hold public office. The announcement adds to mounting pressure facing Gardner, after a 17-year-old volleyball player from Tennessee lost her legs in an accident involving a man out of jail with pending robbery charges. Gardner, first elected in 2016, has faced ongoing criticism for understaffing and dysfunction in her office that has hampered prosecutions.
- On Thursday, Governor Mike Parson and Attorney General Andrew Bailey held a joint press conference at the Capitol to announce actions Missouri will take against the newly proposed Waters of the United States (WOTUS) rules by the federal government. Governor Parson stated the new WOTUS rules are federal overreach and would add additional burdens to ranchers, farmers and business owners in Missouri. Governor Parson said there is doubt the Environmental Protection Agency (EPA) has the authority to govern certain waterways in Missouri. Attorney General Andrew Bailey has filed a lawsuit against WOTUS and the EPA to receive clear guidelines regarding regulating privately owned waters in Missouri.

Budget Update

The Senate dedicated floor time Wednesday afternoon to debate HB 14, sponsored by Representative Cody Smith (R-Carthage). This is the Emergency Supplemental requested by Governor Mike Parson. The Emergency Supplemental includes an 8.7% pay raise for state employees plus a \$2 differential increase for those working night and overnight shifts for certain departments. The bill also includes an increase in the mileage reimbursement rate to \$.655 per mile, \$148 million for capital improvement projects provided there is a 50/50 match, \$275 million for SEMA to reimburse expenses to Missouri citizens, \$3 million for the Wood Energy Tax Credit, and over \$24 million to the Missouri State Employees Retirement System. After brief discussions, and no modifications, the Senate passed the bill by a 29-4 vote. The bill now will be sent to the Governor for final consideration.

MoDOT Revenue and Projects

The House Transportation Accountability, and the Transportation Infrastructure Committees convened a joint hearing to consider a presentation from MoDOT Director Patrick McKenna regarding their 2022 revenues and current and upcoming road and bridge projects. Director McKenna reported FY 2022 revenues were \$2.2 billion with the majority of the revenue generated by the Missouri sales and use tax. They received \$1 billion from the federal government and \$301 million from bond proceeds that are set to be paid in full in 2027. To date, they have completed 220 bridge projects and hope to have the remaining bridges in critical need under contract by early March. The upcoming STIP plan (2023 to 2027) will have 1,800 road construction projects and 1,443 bridge construction or repair projects with a total cost of \$8.1 billion.

Director McKenna discussed the FY2024 governor's request of \$859 million to provide funding for the Rocheport Bridge project, the widening and repairing of I-70 from Blue Springs to Odessa, and the widening and repairing of I-70 from Warrenton to Wentzville stating the environmental work for I-70 was completed but will need to be updated and this will take around nine months. The \$100 million allocated for black top projects on roads has fourteen projects under contract that are 40% finished and those will be completed entirely once the weather improves. Director McKenna also informed the committee rising inflation is consuming 25-28% of MoDOT's projects budget and expects that percentage to increase over the next two years.

Hearings

House: <https://house.mo.gov/AllHearings.aspx>

Senate: <https://www.senate.mo.gov/hearingsschedule/hrings.htm>

Key Upcoming Dates:

- March 1, 2023 – Last Day to File Bills
- March 9 – 20, 2023 – Legislative Spring Break
- April 10, 2023 – Easter Break – No Session
- May 5, 2023 – Constitutional Deadline to pass the FY2024 state budget
- May 12, 2023 – Last day of Legislative Session

- July 1, 2023 – First day of the new fiscal year
- July 14, 2023 – Last day for Governor Parson to sign or veto legislation
- September 13, 2023