

# Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

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**THIRD DAY—THURSDAY, MAY 25, 2017**

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The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Senator Emery offered the following prayer:

If any of you lack wisdom, let him ask of God, that giveth to all men liberally, and upbraideth not; and it shall be given him. But let him ask in faith, nothing wavering. For he that wavereth is like a wave of the sea driven with the wind and tossed. For let not that man think that he shall receive any thing of the Lord. A double minded man is unstable in all his ways.

Heavenly Father, I pray, keep us today from double-mindedness and grant us wisdom. I come to You this morning in the name and through the blood of the Lord Jesus Christ, thanking You for breath for life itself. Thank You for the opportunity You have given each of us today to serve You and the citizens of Missouri.

I believe it is with one voice, today that we bring before Your throne the names of all those in uniform whether at home or abroad who serve daily to protect our lives and our freedoms from enemies foreign or domestic.

We plead Your mercies and grace upon those whose lives were taken or violently disrupted this week by the terrorist attack in Manchester, England. Somehow bring divine comfort to survivors and healing to the wounded.

Father, as we go about our constitutional business today, may we be directed by the mind of Christ to seek peace and pursue it in every situation or conversation. Direct every outcome for the benefit of those we serve and for Your glory. I pray in the name of Your son and my Savior, Amen. (James 1:5-8)

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Monday, May 22, 2017 and Wednesday, May 24, 2017 were read and approved.

Senator Kehoe announced photographers from Columbia Daily Tribune, ABC-17, KMIZ and MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curts	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford

Walsh                      Wasson                      Wieland—31

Absent—Senators—None

Absent with leave—Senators

Kraus                      Rizzo—2

Vacancies—1

## RESOLUTIONS

Senator Sifton offered Senate Resolution No. 19, regarding Eagle Scout Matthew Francis Sudekum-Whitaker, Webster Groves, which was adopted.

Senator Schupp offered Senate Resolution No. 20, regarding Arthur Eugene “Gene” Henry, St. Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 21, regarding Hymmitt Peter Wong, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 22, regarding Richard Levon Barnett, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 23, regarding Warren Bryant Nelson, Des Peres, which was adopted.

Senator Koenig offered Senate Resolution No. 24, regarding Wilford Noel “Wil” Duke, Ballwin, which was adopted.

Senator Holsman offered Senate Resolution No. 25, regarding Eugenia M. “Gina” O’Brien, which was adopted.

Senator Schatz offered Senate Resolution No. 26, regarding Cecil L. Keeler, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 27, regarding Jerome J. “Jerry” Yoffie, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 28, regarding Harvey Murrell Clark, Saint Albans, which was adopted.

Senator Schatz offered Senate Resolution No. 29, regarding the Sixtieth Anniversary of Robert and Lois Mueller, New Haven, which was adopted.

Senator Munzlinger offered Senate Resolution No. 30, regarding Brad Ayers, Macon, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Chappelle-Nadal offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 1

WHEREAS, seventy years ago the United States government hired St. Louis based company Mallinckrodt Chemical Works to purify uranium for use in nuclear weapons during wartimes; and

WHEREAS, from 1946 until 1957, Mallinckrodt Chemical Works transported and dumped the radioactive chemical waste produced from the uranium purification process at Coldwater Creek near the St. Louis airport; and

WHEREAS, some of the radioactive chemical wastes were later trucked from Coldwater Creek to Latty Avenue in Hazelwood for drying and shipping to Colorado for reprocessing; and

WHEREAS, in 1973, some of the radioactive chemical wastes located on Latty Avenue were transported and illegally dumped in the West Lake Landfill located in Bridgeton, next to Earth City, in the Missouri River floodplain; and

WHEREAS, the West Lake Landfill was not designed to store radioactive chemical waste; and

WHEREAS, the radioactive chemical waste has contaminated land and caused erosion of soil from the West Lake Landfill berm; and

WHEREAS, the radioactive chemical waste poses significant health risks to citizens in the area; and

WHEREAS, in 1990, the Environmental Protection Agency recognized the significant health risks posed to citizens in the area and placed the West Lake Landfill on the Superfund National Priorities List; and

WHEREAS, in 1997, Congress transferred responsibility from the U.S. Department of Energy to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program for land remediation efforts; and

WHEREAS, the West Lake Landfill was not transferred to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program, but remained the responsibility of the Environmental Protection Agency because it had been placed on the Superfund National Priorities List; and

WHEREAS, in 2008, the Environmental Protection Agency issued a Record of Decision stating that the radioactive chemical wastes were to remain in the landfill, with merely a cover of rocks, construction rubble, and clay, and no liner to protect the wastes from groundwater leaching; and

WHEREAS, in 2012, an underground fire was discovered at the West Lake Landfill, and the fire has remained uncontrolled since that time; and

WHEREAS, the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program would be better situated to address the West Lake Landfill remediation efforts given their experience in remediation efforts across St. Louis City and St. Louis County:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-ninth General Assembly, First Extraordinary Session, the House of Representatives concurring therein, hereby request the United States Congress to transfer the authority for the remediation of the West Lake Landfill radioactive chemical wastes from the Environmental Protection Agency to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program; and

BE IT FURTHER RESOLVED that the radioactive chemical wastes be excavated from the Missouri river flood plain and be transported to a licensed radioactive waste facility, away from water and away from people; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

## **INTRODUCTION OF BILLS**

The following Bill was read the 1st time and ordered printed:

**SB 7**—By Chappelle-Nadal.

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to contaminated homes, with a penalty provision and an emergency clause.

Senator Rowden assumed the Chair.

## **HOUSE BILLS ON SECOND READING**

The following Bill was read the 2nd time and referred to the Committee indicated:

**HCS for HB 1**—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Kehoe, the Senate recessed until 3:30 p.m.

## **RECESS**

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

**REPORTS OF STANDING COMMITTEES**

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

**REFERRALS**

President Pro Tem Richard referred **HCS** for **HB 1** to the Committee on Fiscal Oversight.

**RESOLUTIONS**

Senator Romine offered Senate Resolution No. 31, regarding Karen Gray, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 32, regarding David “Dave” Gray, Park Hills, which was adopted.

Senator Sifton offered Senate Resolution No. 33, regarding Maurice “Maury” Stone, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 34, regarding Robert Karl “Bob” Kuhlenberg, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 35, regarding James Edwin Wilde, Lieutenant Colonel (LTC), Retired, which was adopted.

**INTRODUCTION OF GUESTS**

Senator Wallingford introduced to the Senate, Ron Randen, Portageville.

Senator Cunningham introduced to the Senate, Melissa and Joanna Schrock, Jewel and Caleb Miller, and William Good, Ozark Mennonite Church.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, May 26, 2017.

**SENATE CALENDAR**

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FOURTH DAY–FRIDAY, MAY 26, 2017

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**FORMAL CALENDAR****SECOND READING OF SENATE BILLS**

HOUSE BILLS ON THIRD READING

HCS for HB 1 (Libla)  
(In Fiscal Oversight)

INFORMAL CALENDAR

RESOLUTIONS

SR 3-Romine

SR 4-Schaaf

To be Referred

SCR 1-Chappelle-Nadal

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