

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—MONDAY, MARCH 12, 2018

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“God has called us to a share in his creative power, and our desire is an element in the creation of the world of tomorrow.” (J.H. Oldham)

Give us patience, O Lord, for we know that much of what we do here will not benefit our people until a future time, so help us to discern the needs of today with the needs of tomorrow. Let us do that which is necessary for tomorrow and the far time that some may not get to see. So bless our best efforts Lord guided by Your presence and guidance, providing us with a vision of a world of tomorrow that we have with You help to create. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for Thursday, March 8, 2018 was read and approved.

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

Present—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Aaron Feis.

RESOLUTIONS

Senator Rowden offered Senate Resolution No. 1471, regarding Paige Anderson, Boonville, which was adopted.

Senator Riddle offered Senate Resolution No. 1472, regarding Corrections Officer I Lisa Unger, Foley, which was adopted.

Senator Riddle offered Senate Resolution No. 1473, regarding Corrections Officer II Ryan Estes, Vandalia, which was adopted.

Senator Riddle offered Senate Resolution No. 1474, regarding Licensed Practical Nurse Tiffany Crider, Wellsville, which was adopted.

Senator Riddle offered Senate Resolution No. 1475, regarding Licensed Practical Nurse Mary Stockton, Martinsburg, which was adopted.

Senator Riddle offered Senate Resolution No. 1476, regarding Corrections Officer II James Immel, Vandalia, which was adopted.

Senator Riddle offered Senate Resolution No. 1477, regarding Corrections Officer I Alysa Sutton, Martinsburg, which was adopted.

Senator Riddle offered Senate Resolution No. 1478, regarding Corrections Officer I Christopher Mullen, Silex, which was adopted.

Senator Koenig offered Senate Resolution No. 1479, regarding Robert Milton "Bob" Brinkman, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 1480, regarding Gerald T. "Jerry" Canatsey, Brentwood, which was adopted.

Senator Koenig offered Senate Resolution No. 1481, regarding Harold C. Tilton, Ellisville, which was adopted.

Senator Eigel offered Senate Resolution No. 1482, regarding John Robert Urbanowicz, Sr., St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 1483, regarding Clyde Clayton Stanford, St. Charles, which was adopted.

Senator Riddle offered Senate Resolution No. 1484, regarding Alexandra Morningstar, Fulton, which was adopted.

Senator Cunningham offered Senate Resolution No. 1485, regarding Divine Century Farm, which was adopted.

Senator Cunningham offered Senate Resolution No. 1486, regarding Chris Parker, Marshfield, which was adopted.

Senator Schaaf offered the following resolution:

SENATE RESOLUTION NO. 1487

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the 34th District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, Second Regular Session, that Senate Rule 50 be amended to read as follows:

“Rule 50. Referrals of bills and appointments to committee shall be made by the president pro tem; and no bill shall be considered for final passage unless it has been reported on by a committee and printed for the use of the senators. **When the senate proceeds to the order of business of Reports of Standing Committees, the presiding officer shall recognize chairmen seeking recognition in order of their seniority, except for the chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics and the chairman of the Committee on Fiscal Oversight, for the purpose of sending reports forward. Bills sent forward shall be placed on the appropriate calendar in the order in which such bills are received and in the order in which such bills are arranged by the chairman.** A report of all bills recommended “do pass” by a committee shall be submitted to the senate by the chairman and all committee amendments accompanying the report shall be printed in the Journal.

After a bill has been referred to a committee, one-third of the senators elected has the power to relieve a committee of further consideration of a bill and place it on the calendar for consideration. In any case where a committee has been relieved of further consideration of a bill as herein provided, a majority of the senators present but not less than one-third of the senators elected, may, at any time before final passage thereof, again refer the bill to the same or some other committee for consideration. No bill or resolution shall be reported adversely by any committee until the author of the bill or resolution has been given an opportunity to appear and be heard before the committee to which it is referred.

One-third of the senators elected may relieve a committee of an appointment and a motion to grant advice and consent of the Senate to that appointment is then in order upon a vote of the majority of the Senate.”

Senator Eigel offered Senate Resolution No. 1488, regarding Eagle Scout Samuel Kontrim Baumann, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 1489, regarding Donald Wayne “Don” Layton, Sr., O’Fallon, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Eigel moved that **SB 617, SB 611 and SB 667**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SBs 617, 611 and 667, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 617, 611 and 667

An Act to repeal sections 32.087, 32.200, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 135.352, 142.803, 143.011, 143.071, 143.171, 143.261, 143.451, 143.461, 143.471, 144.010, 144.014, 144.020, 144.030, 144.032, 144.043, 144.049, 144.054, 144.060, 144.069, 144.080, 144.083, 144.100, 144.140, 144.190, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.655, 144.759, 144.761, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 184.845, 221.407, 238.235, 238.410, 620.1350, and 644.032, RSMo, and to enact in lieu thereof ninety-three new sections relating to taxation, with penalty provisions.

Was taken up.

Senator Eigel moved that **SCS** for **SBs 617, 611 and 667** be adopted.

Senator Eigel offered **SS** for **SCS** for **SBs 617, 611 and 667**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 617, 611 and 667

An Act to repeal sections 32.087, 32.200, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 135.352, 142.803, 143.011, 143.071, 143.171, 143.261, 143.431, 143.451, 143.461, 143.471, 144.010, 144.014, 144.020, 144.030, 144.032, 144.043, 144.049, 144.054, 144.060, 144.069, 144.080, 144.083, 144.100, 144.140, 144.190, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.655, 144.759, 144.761, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 184.845, 221.407, 238.235, 238.410, 620.1350, and 644.032, RSMo, and to enact in lieu thereof ninety-three new sections relating to taxation, with penalty provisions, with an effective date for certain sections and a contingent effective date for certain sections.

Senator Eigel moved that **SS** for **SCS** for **SBs 617, 611 and 667** be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 617, 611 and 667, Page 198, Section 142.803, Line 13, by inserting after “gallon” the following: **“Beginning on January 1 of the year in which an income tax rate reduction occurs under subsection 3 of section 143.011, the rate of tax under this subdivision shall be twenty-five cents per gallon. Beginning January 1 of the year following the year in which an income tax rate reduction occurs under subsection 3 of section 143.011, the rate of tax under this subdivision shall be twenty-seven cents per gallon. The rate of tax under this subdivision shall annually be adjusted by the percent increase in the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency”**; and

Further amend said page, line 18, by striking the words “is authorized to” and inserting in lieu thereof the following: **“shall”**.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 617, 611 and 667, Page 202, Section 143.011, Lines 17-28, by striking the opening and closing brackets “[]” and underlined words from said lines; and

Further amend said bill and section, page 203, line 2, by inserting after the first closing bracket “]” the following: **“No more than five reductions shall be made under this subdivision.”**; and further amend said line by striking the opening bracket “[” and the closing bracket “]” around the word “rate”; and further amend said line by striking the word “rates”; and further amend said page, line 5, by inserting after all of line the following:

“(2) After all reductions are made under the provisions of subdivision (1) of this section, there shall be two additional reductions in all remaining rates of tax under subsection 1 of this section over a period of years. The first reduction shall be by one-tenth of one percent, and the second reduction shall be by fifteen one-hundredths of one percent. No more than one reduction shall occur for each rate in a calendar year. Reductions in the rates of tax under this subdivision shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(3) Beginning with the 2020 calendar year, the remaining rates of tax under subsection 1 of this section may be reduced over a period of years, provided that no more than four such reductions shall be made under this subdivision. Each reduction in the rates of tax shall be by one-tenth of one percent and no more than one reduction shall occur for each rate in a calendar year. Reductions in the rates of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.”; and

Further amend said page, line 6, by inserting after “tax” the following: **“under the provisions of subdivisions (1) to (3) of this subsection”**; and further amend line 10 by striking the word “fifty” and inserting in lieu thereof the following: **“sixty”**; and further renumber the remaining subdivisions accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

At the request of Senator Eigel, **SB 617**, **SB 611** and **SB 667**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Onder assumed the Chair.

REFERRALS

President Pro Tem Richard referred **HB 1413**, with **SCS** and **HB 1769**, with **SCS** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1490, regarding Shelby Coleman, Arnold, which was adopted.

Senator Wieland offered Senate Resolution No. 1491, regarding Brittany Dake, Windsor, which was adopted.

Senator Walsh offered Senate Resolution No. 1492, regarding Robert Allyn “Bob” Borrowman, Saint Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1493, regarding Percy L. Waters, Saint Louis, which was adopted.

COMMUNICATIONS

Senator Chappelle-Nadal submitted the following:

March 12, 2018

Adriane Crouse, Secretary of the Senate
Missouri State Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Secretary Crouse:

Pursuant to Senate Rule 45, please remove SB 650 from the Consent Calendar and return such to the Local Government and Elections committee. While I take no issue with the underlying public policy of the legislation, I do take issue with the sponsor, who elected to interject himself into a public health matter situated wholly within my Senatorial District.

Specifically, the bill's sponsor, despite living 77.2 miles away from the radioactive West Lake Landfill, signed a letter, dated October 1, 2017, to the Environmental Protection Agency that stated, in part, that there is "no evidence of health risks to individuals living or working in the vicinity of the (West Lake) landfill." Further, the letter expressed opposition to properly remedying this public health disaster that has killed, is killing, and, unless properly alleviated, will continue to kill my constituents. For this reason, I choose to inject myself into this Senator's business, which includes the consent status of SB 650.

Sincerely,



MARIA CHAPPELLE-NADAL
State Senator, District 14

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, March 13, 2018.

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 13, 2018

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1080-Rizzo	SB 1094-Hoskins
SB 1081-Rizzo	SB 1095-Hoskins
SB 1082-Rizzo	SB 1096-Romine
SB 1083-Walsh	SB 1097-Sifton
SB 1084-Schatz	SB 1098-Sater
SB 1085-Chappelle-Nadal	SB 1099-Hummel and Nasheed
SB 1086-Crawford	SB 1100-Riddle
SB 1087-Rowden	SB 1101-Schupp
SB 1088-Rowden	SB 1102-Kehoe
SB 1089-Wallingford	SJR 37-Kehoe
SB 1090-Hummel	SJR 38-Kehoe
SB 1091-Nasheed	SJR 39-Kehoe
SB 1092-Hoskins	SJR 40-Rowden
SB 1093-Hoskins	

HOUSE BILLS ON SECOND READING

HCS for HB 1873	HB 2238-Mathews
HB 1428-Muntzel	HCS for HB 1895
HB 1896-Swan	HB 1613-Kelley (127)
HB 1607-Korman	HCS for HB 1456
HCS for HB 1928	HB 2110-Rone
HB 1945-Anderson	HCS for HB 1947
HCS for HB 1618	HCS for HB 2104
HCS for HB 2079	HCS for HB 1623
HB 1265-Schroer	HCS for HB 2062
HB 1797-Fitzwater	HCS for HB 1868
HCS for HB 1525	HB 1625-Morris
HB 1250-Plocher	HB 1442-Alferman
HCS for HB 1358	HB 1679-Chipman
HCS for HB 2116	HB 1892-Wilson
HB 2102-Rhoads	HCS for HB 1645
HB 1646-Eggleston	

THIRD READING OF SENATE BILLS

SS for SB 579-Libla (In Fiscal Oversight)	SS for SCS for SB 707-Schatz
SS for SB 699-Sifton (In Fiscal Oversight)	(In Fiscal Oversight)
SS for SCS for SBs 603, 576 & 898-Onder (In Fiscal Oversight)	SB 773-Hoskins (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 837-Rowden	16. SB 966-Rowden, with SCS
2. SB 704-Hegeman	17. SB 706-Riddle
3. SB 870-Hegeman	18. SB 917-Crawford, with SCS
4. SB 893-Sater, with SCS	19. SB 884-Koenig
5. SB 953-Sater, with SCS	20. SB 990-Hegeman, with SCS
6. SB 850-Wallingford	21. SB 862-Schatz, with SCS
7. SB 672-Koenig, with SCS	22. SB 920-Riddle
8. SB 578-Romine	23. SB 919-Libla
9. SB 666-Onder	24. SB 822-Hegeman, with SCS
10. SB 802-Nasheed, with SCS	25. SB 652-Nasheed, with SCS
11. SB 982-Wieland	26. SB 693-Wallingford
12. SB 981-Wieland	27. SB 890-Riddle, with SCS
13. SB 928-Onder, with SCS	28. SB 697-Romine
14. SB 782-Cunningham, with SCS	29. SJR 25-Romine
15. SB 553-Dixon, with SCS	30. SB 808-Brown

HOUSE BILLS ON THIRD READING

1. HB 1303-Alferman, with SCS (Rowden)	3. HB 1691-Miller, with SCS (Emery)
2. HB 1769-Mathews, with SCS (Schatz) (In Fiscal Oversight)	4. HB 1665-Swan (Rowden)
	5. HB 1465-Cookson, with SCS (Wasson)

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| 6. HB 1291-Henderson, with SCS (Romine) | 9. HB 1350-Smith (163), with SCS (Rowden) |
| 7. HB 1838-Bernskoetter, with SCS (Kehoe) | 10. HB 1504-Reiboldt (Richard) |
| 8. HB 1413-Taylor, with SCS (Onder)
(In Fiscal Oversight) | 11. HB 1531-DeGroot (Rowden) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

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| SS for SCS for SB 547-Munzlinger
(In Fiscal Oversight) | SB 743-Sater |
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SENATE BILLS FOR PERFECTION

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| SB 546-Munzlinger, with SS#4 (pending) | SB 674-Koenig |
| SB 550-Wasson, with SCS | SB 705-Riddle |
| SB 552-Dixon, with SS (pending) | SB 730-Wallingford, with SCS & SA 1
(pending) |
| SBs 555 & 609-Brown, with SCS | SB 751-Schatz |
| SB 561-Sater, with SA 1 (pending) | SB 767-Hoskins, with SCS, SS for SCS &
SA 2 (pending) |
| SB 567-Cunningham, with SCS, SS for SCS,
SA 1 & SA 1 to SA 1 (pending) | SB 774-Munzlinger |
| SB 590-Hegeman, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1 & SA 1 to SSA 1
for SA 1 (pending) | SB 786-Schupp, with SA 3 (pending) |
| SB 591-Hegeman, with SCS | SB 813-Riddle, with SCS & SA 1 (pending) |
| SB 596-Riddle, with SCS | SB 832-Rowden, with SCS |
| SB 599-Schatz | SB 848-Riddle |
| SB 602-Onder, with SCS | SB 849-Kehoe and Schupp, with SCS |
| SB 612-Koenig, with SCS, SS#2 for SCS,
SA 2, SSA 1 for SA 2 & SA 1 to SSA 1
for SA 2 (pending) | SB 860-Koenig, with SCS, SS for SCS &
SA 1 (pending) |
| SBs 617, 611 & 667-Eigel, with SCS & SS
for SCS (pending) | SB 861-Hegeman, with SCS |
| SB 663-Schatz, with SCS (pending) | SB 865-Kehoe |
| | SB 907-Kehoe, with SCS |
| | SB 912-Rowden, with SCS & SS#3 for SCS
(pending) |

CONSENT CALENDAR

Senate Bills

Reported 3/8

SBs 999 & 1000-Rowden, with SCS

RESOLUTIONS

SR 1137-Walsh, with SS (pending)	SR 1487-Schaaf
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