

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-NINTH DAY—TUESDAY, MARCH 3, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“If your actions inspire others to dream more, learn more and become more, you are a leader.” (John Quincy Adams)

Heavenly Father, You have called us here to provide leadership that is needed and requires us to lead others in words and actions that inspire others to become all You have created them to be. So we would ask, Lord, for Your continuing guidance and direction for what is right and helpful for our people. 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 of the previous day was read and approved.

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

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1285, regarding Grace Billhartz, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1286, regarding Abigail Mueller, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 1287, regarding Erica Mock, Eureka, which was adopted.

Senator Crawford offered Senate Resolution No. 1288, regarding Allison Bowlin, which was adopted.

Senator Onder offered Senate Resolution No. 1289, regarding Amelia Truong, which was adopted.

Senator Sater offered Senate Resolution No. 1290, regarding David Honeycutt, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1291, regarding the Healthy Schools/Healthy Communities Initiative, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 664** and **SB 587**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SB 587** to the Committee on Fiscal Oversight.

THIRD READING OF SENATE BILLS

SCS for **SB 631**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631**

An Act to repeal section 36.155, RSMo, and to enact in lieu thereof one new section relating to the political activity of certain state employees, with an emergency clause.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **SCS** for **SB 631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

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

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 523**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Sater, **SS** for **SCS** for **SB 523** was withdrawn, rendering **SA 3** moot.

Senator Sater offered **SS No. 2** for **SCS** for **SB 523**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 523

An Act to repeal sections 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to

enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

Senator Sater moved that **SS No. 2** for **SCS** for **SB 523** be adopted.

Senator May offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 523, Page 50, Section 195.805, Line 8, by inserting after all of said line the following:

“3. Each individual candy containing any amount of tetrahydrocannabinols (THC) shall be stamped or otherwise labeled with a diamond containing the letters “THC” and the number of milligrams of THC in that candy.”; and

Further renumber the remaining subsection accordingly.

Senator May moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

Senator Hoskins offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 523, Page 50, Section 195.805, Line 8, by inserting after all of said line the following:

“3. Each individually wrapped edible marijuana-infused product containing any amount of tetrahydrocannabinols (THC) shall be stamped or the package or wrapping otherwise labeled with a diamond containing the letters “THC” and the number of milligrams of THC in that individually wrapped product.”; and

Further renumber the remaining subsection accordingly.

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

Senator Sater moved that **SS No. 2** for **SCS** for **SB 523**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS No. 2** for **SCS** for **SB 523**, as amended, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 618**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 618**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 618

An Act to repeal sections 393.1009 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to an infrastructure system replacement surcharge for gas corporations.

Senator Wallingford moved that **SS** for **SB 618** be adopted.

President Kehoe assumed the Chair.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 618, Page 1, Section 393.1009, Line 13 of said page, by inserting after “effective ISRS” the following: “, **less the net plant value of any retired assets**”.

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

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 618, Page 6, Section 393.1012, Line 23, by inserting after all of said line the following:

“**Section 1. The provisions of sections 393.1009 to 393.1015 shall expire on August 28, 2026.**”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Schupp the above amendment was withdrawn.

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 618, Page 1, Section 393.1009, Line 13 of said page, by inserting after “effective ISRS” the following:

”, **less the net plant value of any retired assets**”; and

Further amend said bill, page 6, section 393.1012, line 23 by inserting immediately after said line the following:

“393.1015. 1. (1) At the time that a gas corporation files a petition with the commission seeking to establish or change an ISRS, it shall submit proposed ISRS rate schedules and its supporting documentation regarding the calculation of the proposed ISRS with the petition, and shall serve the office of the public counsel with a copy of its petition, its proposed rate schedules, and its supporting documentation.

(2) Upon the filing of a petition, and any associated rate schedules, seeking to establish or change an ISRS, the commission shall publish notice of the filing.

2. (1) When a petition, along with any associated proposed rate schedules, is filed pursuant to the provisions of sections 393.1009 to 393.1015, the commission shall conduct an examination of the proposed ISRS.

(2) The staff of the commission may examine information of the gas corporation to confirm that the underlying costs are in accordance with the provisions of sections 393.1009 to 393.1015, and to confirm proper calculation of the proposed charge, and may submit a report regarding its examination to the commission not later than sixty days after the petition is filed. No other revenue requirement or ratemaking issues may be examined in consideration of the petition or associated proposed rate schedules filed pursuant to the provisions of sections 393.1009 to 393.1015.

(3) The commission may hold a hearing on the petition and any associated rate schedules and shall issue

an order to become effective not later than one hundred twenty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1009 to 393.1015, the commission shall enter an order authorizing the corporation to impose an ISRS that is sufficient to recover appropriate pretax revenue, as determined by the commission pursuant to the provisions of sections 393.1009 to 393.1015.

3. A gas corporation may effectuate a change in its rate pursuant to the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate pretax revenue, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The gas corporation's actual regulatory capital structure as determined during the most recent general rate proceeding of the gas corporation;

(3) The actual cost rates for the gas corporation's debt and preferred stock as determined during the most recent general rate proceeding of the gas corporation;

(4) The gas corporation's cost of common equity as determined during the most recent general rate proceeding of the gas corporation;

(5) The current property tax rate or rates applicable to the eligible infrastructure system replacements;

(6) The current depreciation rates applicable to the eligible infrastructure system replacements; and

(7) In the event information pursuant to subdivisions (2), (3), and (4) of this subsection is unavailable and the commission is not provided with such information on an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of the gas corporation and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly ISRS charge may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate pretax revenues by the customer numbers reported by the gas corporation in the annual report it most recently filed with the commission pursuant to subdivision (6) of section 393.140, and then further dividing this quotient by twelve. Provided, however, that the monthly ISRS may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the gas corporation so long as the monthly ISRS for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge for each customer class.

(2) At the end of each twelve-month calendar period the ISRS is in effect, the gas corporation shall reconcile the differences between the revenues resulting from an ISRS and the appropriate pretax revenues as found by the commission for that period and shall submit the reconciliation and a proposed ISRS adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments of an ISRS charge.

6. (1) A gas corporation that has implemented an ISRS pursuant to the provisions of sections 393.1009

to 393.1015 shall file revised rate schedules to reset the ISRS to zero when new base rates and charges become effective for the gas corporation following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in an ISRS.

(2) Upon the inclusion in a gas corporation's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in an ISRS, the gas corporation shall immediately thereafter reconcile any previously unreconciled ISRS revenues as necessary to ensure that revenues resulting from the ISRS match as closely as possible the appropriate pretax revenues as found by the commission for that period.

7. A gas corporation's filing of a petition or change to an ISRS pursuant to the provisions of sections 393.1009 to 393.1015 shall not be considered a request for a general increase in the gas corporation's base rates and charges.

8. Commission approval of a petition, and any associated rate schedules, to establish or change an ISRS pursuant to the provisions of sections 393.1009 to 393.1015 shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to eligible infrastructure system replacements during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of costs associated with eligible infrastructure system replacements previously included in an ISRS, the gas corporation shall offset its ISRS in the future as necessary to recognize and account for any such overcollections.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider infrastructure system replacement costs along with other costs during any general rate proceeding of any gas corporation.

10. Nothing contained in sections 393.1009 to 393.1015 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of a gas corporation, including review of the prudence of eligible infrastructure system replacements made by a gas corporation, pursuant to the provisions of section 386.390.

11. The commission shall have authority to promulgate rules for the implementation of sections 393.1009 to 393.1015, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of sections 393.1009 to 393.1015. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

12. Any gas corporation whose ISRS is found by a court of competent jurisdiction to include illegal and inappropriate charges shall refund every current customer of the gas corporation who paid such charges, before the gas corporation can file for a new ISRS.

Section 1. The provisions of sections 393.1009 to 393.1015 shall expire on August 28, 2029.”; and

Further amend the title and enacting clause accordingly.

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

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 618, Page 1, In the Title, Lines 3-4 , by striking the words “an infrastructure system replacement surcharge for”; and

Further amend said bill, Page 6, Section 393.1012, Line 23 of said page, by inserting after all of said line the following:

“Section 1. As part of the gas corporation’s first general rate proceeding after June 1, 2020, each gas corporation regulated by the public service commission shall submit an evaluation, plan, or tariff regarding the utilization of renewable natural gas. Plans may address any or all of the following: renewable natural gas opportunities, renewable natural gas infrastructure, customer benefits, emission offsets, ratemaking mechanisms and tariff design, renewable natural gas green attributes and market structure, and any other items deemed relevant by the petitioning gas corporation.”; and

Further amend the title and enacting clause accordingly.

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

Senator Wallingford moved that **SS** for **SB 618**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SB 618**, as amended, was declared perfected and ordered printed.

At the request of Senator Wallingford, **SB 531** was placed on the Informal Calendar.

At the request of Senator Hough, **SB 594**, with **SCS** was placed on the Informal Calendar.

SB 636 was placed on the Informal Calendar.

Senator Hoskins moved that **SB 644** be taken up for perfection, which motion prevailed.

Senator Hoskins offered **SS** for **SB 644**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 644

An Act to repeal sections 209.150, 209.200, and 209.204, RSMo, and to enact in lieu thereof three new sections relating to service animals, with penalty provisions.

Senator Hoskins moved that **SS** for **SB 644** be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS** for **SB 644**, was declared perfected and ordered printed.

Senator White moved that **SB 718**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 718**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 718

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, and 210.150, RSMo, and to enact in lieu thereof eight new sections relating to military affairs, with an existing penalty provision.

Was taken up.

Senator White moved that **SCS** for **SB 718** be adopted.

Senator White offered **SS** for **SCS** for **SB 718**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 718

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, 210.150, and 379.122, RSMo, and to enact in lieu thereof nine new sections relating to military affairs, with an existing penalty provision.

Senator White moved that **SS** for **SCS** for **SB 718** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 39, Section 379.122, Line 5 of said page, by inserting after all of said line the following:

“620.2005. 1. As used in sections 620.2000 to 620.2010, the following terms mean:

(1) “Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) “Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;

(3) “Contractor”, a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who

routinely performed job duties within Missouri;

(9) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(10) “Industrial development authority”, an industrial development authority organized under chapter 349 that has entered into a formal written memorandum of understanding with an entity of the United States Department of Defense regarding a qualified military project;

(11) “Infrastructure projects”, highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;

(12) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(13) “Manufacturing capital investment”, expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) “Memorandum of understanding”, an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

- a. The maximum amount of tax credits authorized; or
- b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(18) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(19) “New payroll”, the amount of wages paid for all new jobs, located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(20) “New product”, a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

(21) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program. The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(23) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(24) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at

which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term “project facility” means the military base or installation at which such qualified military project is or shall be located;

(25) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) “Project facility base payroll”, the annualized payroll for the project facility base employment or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its

intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

(k) Biodiesel production; or

(l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(30) “Qualified manufacturing company”, a company that:

(a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);

(b) Manufactures goods at a facility in Missouri;

(c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) “Qualified military project”, the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more **part-time or full-time** military or civilian support personnel:

a. Whose average salaries equal or exceed ninety percent of the county average wage; and

b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit;

(32) “Related company”, shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(35) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld

and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection or a qualified manufacturing company under subsection 3 of this section, the department shall consider the following factors:

(1) The significance of the qualified company's need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

(7) The percent of local incentives committed.

3. (1) The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars not more than three years following the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the department's approval of

the original notice of intent.

(2) The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

(3) If, at the project facility at any time during the project period, the qualified manufacturing company discontinues the manufacturing of the new product, or discontinues the modification or expansion of an existing product, and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product, the company shall immediately cease receiving any benefit awarded under this subsection for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this subsection for the remainder of such period.

(4) Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital improvement that qualified for benefits under this section. The provisions of subsection 5 of section 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this section.

4. Upon approval of a notice of intent to receive tax credits under subsection 2, 3, 6, or 7 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment, or the manufacturing capital investment and committed percentage of retained jobs for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department;

(4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under subsection 7 of this section; and

(5) Any other provisions the department may require.

5. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs

were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

6. In addition to the benefits available under subsection 5 of this section, the department may award a qualified company that satisfies the provisions of subsection 5 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

7. In lieu of the benefits available under subsections 1, 2, 5, and 6 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs and new capital investment created by the program, the department may award a qualified company that satisfies the provisions of subdivision (1) of subsection 1 of this section tax credits, issued within one year following the qualified company's acceptance of the department's proposal for benefits, in an amount equal to or less than nine percent of new payroll. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section and the qualified company's commitment to new capital investment and new job creation within the state for a period of not less than ten years. For the purposes of this subsection, each qualified company shall have an average wage of the new payroll that equals or exceeds one hundred percent of the county average wage. Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall expire on June 30, 2025.

8. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment or manufacturing capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first.

9. In lieu of any other benefits under this chapter, the department of economic development may award a tax credit to an industrial development authority for a qualified military project in an amount equal to the estimated withholding taxes associated with the **part-time and full-time** civilian and military new jobs located at the facility and directly impacted by the project. The amount of the tax credit shall be calculated

by multiplying:

- (1) The average percentage of tax withheld, as provided by the department of revenue to the department of economic development;
- (2) The average salaries of the jobs directly created by the qualified military project; and
- (3) The number of jobs directly created by the qualified military project.

If the amount of the tax credit represents the least amount necessary to accomplish the qualified military project, the tax credits may be issued, but no tax credits shall be issued for a term longer than fifteen years. No qualified military project shall be eligible for tax credits under this subsection unless the department of economic development determines the qualified military project shall achieve a net positive fiscal impact to the state.”; and

Further amend the title and enacting clause accordingly.

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

Senator Eigel offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 1, In the Title, Line 5 of the title, by inserting after “provision” the following: “and a contingent effective date for certain sections”; and

Further amend said bill, Page 2, Section 27.115, Line 14 of said page, by inserting after all of said line the following:

“41.035. 1. There is hereby created and established as a department of state government, the “Department of Military Forces” headed by the adjutant general as provided in Article IV of the Constitution of Missouri, and this chapter and other chapters. The department of military forces shall administer the militia and programs of the state relating to military forces.

2. The office of adjutant general and the state militia are hereby transferred to the department of military forces by a type I transfer as defined in section 1 of the Omnibus State Reorganization Act of 1974.

3. Nothing herein shall be construed to interfere with the powers and duties of the governor provided in Article IV, Section 6 of the Constitution of Missouri or this chapter.

4. Rules necessary to administer and implement this section may be established by the department. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act shall be invalid and void.”; and

Further amend said bill, Page 39, Section 379.122, Line 5 of said page, by inserting after all of said line the following:

“650.005. 1. There is hereby created a “Department of Public Safety” in charge of a director appointed by the governor with the advice and consent of the senate. The department’s role will be to provide overall coordination in the state’s public safety and law enforcement program, to provide channels of coordination with local and federal agencies in regard to public safety, law enforcement and with all correctional and judicial agencies in regard to matters pertaining to its responsibilities as they may interrelate with the other agencies or offices of state, local or federal governments.

2. All the powers, duties and functions of the state highway patrol, chapter 43 and others, are transferred by type II transfer to the department of public safety. The governor by and with the advice and consent of the senate shall appoint the superintendent of the patrol. With the exception of sections 43.100 to 43.120 relating to financial procedures, the director of public safety shall succeed the state highways and transportation commission in approving actions of the superintendent and related matters as provided in chapter 43. Uniformed members of the patrol shall be selected in the manner provided by law and shall receive the compensation provided by law. Nothing in the Reorganization Act of 1974, however, shall be interpreted to affect the funding of appropriations or the operation of chapter 104 relating to retirement system coverage or section 226.160 relating to workers’ compensation for members of the patrol.

3. All the powers, duties and functions of the supervisor of liquor control, chapter 311 and others, are transferred by type II transfer to the department of public safety. The supervisor shall be nominated by the department director and appointed by the governor with the advice and consent of the senate. The supervisor shall appoint such agents, assistants, deputies and inspectors as limited by appropriations. All employees shall have the qualifications provided by law and may be removed by the supervisor or director of the department as provided in section 311.670.

4. All the powers, duties and functions of the safety and fire prevention bureau of the department of public health and welfare are transferred by type I transfer to the director of public safety.

5. All the powers, duties and functions of the state fire marshal, chapter 320 and others, are transferred to the department of public safety by a type I transfer.

6. All the powers, duties and functions of the law enforcement assistance council administering federal grants, planning and the like relating to Public Laws 90-351, 90-445 and related acts of Congress are transferred by type I transfer to the director of public safety. The director of public safety shall appoint such advisory bodies as are required by federal laws or regulations. The council is abolished.

7. The director of public safety shall promulgate motor vehicle regulations and be ex officio a member of the safety compact commission in place of the director of revenue and all powers, duties and functions relating to chapter 307 are transferred by type I transfer to the director of public safety.

8. [The office of adjutant general and the state militia are assigned to the department of public safety; provided, however, nothing herein shall be construed to interfere with the powers and duties of the governor as provided in Article IV, Section 6 of the Constitution of the state of Missouri or chapter 41.

9.] All the powers, duties and functions of the Missouri boat commission, chapter 306 and others, are transferred by type I transfer to the “Missouri State Water Patrol”, which is hereby created, in the department of public safety. The Missouri boat commission and the office of secretary to the commission are abolished. All deputy boat commissioners and all other employees of the commission who were employed on February 1, 1974, shall be transferred to the water patrol without further qualification. Effective January 1, 2011, all the powers, duties, and functions of the Missouri state water patrol are

transferred to the division of water patrol within the Missouri state highway patrol as set out in section 43.390.

[10.] **9.** The Missouri veterans’s commission, chapter 42, is assigned to the department of public safety.

[11.] **10.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

Section B. The enactment of section 41.035 and the repeal and reenactment of section 650.005 of this act shall become effective only upon approval by the voters of an amendment to article IV of the Constitution of Missouri that establishes the department of military forces.”; and

Further amend the title and enacting clause accordingly.

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

Senator Wallingford offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 2, Section 27.115, Line 14 of said page, by inserting after all of said line the following:

“36.020. Unless the context clearly requires otherwise, the following terms mean:

(1) “Agency”, “state agency” or “agency of the state”, each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;

(2) “Appointing authority”, an officer or agency subject to this chapter having power to make appointments;

(3) “Board”, the personnel advisory board as established by section 36.050;

(4) “Broad classification band”, a grouping of positions with similar levels of responsibility or expertise;

(5) “Class”, “class of positions”, or “job class”, a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;

(6) “Director”, the director of the division of personnel of the office of administration;

(7) “Disabled veteran”, a veteran who has served on active duty in the Armed Forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran’s affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a National Guard veteran who was permanently disabled as a result of active service to the state at the call of the governor;

(8) “Division of service” or “division”, a state department or any division or branch of the state, or any agency of the state government, all the positions and employees in which are under the same appointing

authority;

(9) “Eleemosynary or penal institutions”, an institution within state government holding, housing, or caring for inmates, patients, veterans, juveniles, or other individuals entrusted to or assigned to the state where it is anticipated that such individuals will be in residence for longer than one day. Eleemosynary or penal institutions shall not include elementary, secondary, or higher education institutions operated separately or independently from the foregoing institutions;

(10) “Eligible”, a person whose name is on a register or who has been determined to meet the qualifications for a class or position;

(11) “Employee”, shall include only those persons employed in excess of thirty-two hours per calendar week, for a duration that could exceed six months, by a state agency and shall not include patients, inmates, or residents in state eleemosynary or penal institutions who work for the state agency operating an eleemosynary or penal institutions;

(12) “Examination” or “competitive examination”, a means of determining eligibility or fitness for a class or position;

(13) “Open competitive examination”, a selection process for positions in a particular class, admission to which is not limited to persons employed in positions subject to this chapter pursuant to subsection 1 of section 36.030;

(14) “Promotional examination”, a selection process for positions in a particular class, admission to which is limited to employees with regular status in positions subject to this chapter pursuant to subsection 1 of section 36.030;

(15) “Register of eligibles”, a list, which may be restricted by locality, of persons who have been found qualified for appointment to a position subject to this chapter pursuant to subsection 1 of section 36.030;

(16) “Regular employee”, a person employed in a position described under subdivision (2) of subsection 1 of section 36.030 who has successfully completed a probationary period as provided in section 36.250;

(17) “State equal employment opportunity officer”, the individual designated by the governor or the commissioner of administration as having responsibility for monitoring the compliance of the state as an employer with applicable equal employment opportunity law and regulation and for leadership in efforts to establish a state workforce which reflects the diversity of Missouri citizens at all levels of employment;

(18) “Surviving spouse”, the unmarried surviving spouse of a deceased disabled veteran or the unmarried [survivor’s] **surviving** spouse of any person who was killed while on active duty in the Armed Forces of the United States or an unmarried surviving spouse of a National Guard veteran who was killed as a result of active service to the state at the call of the governor;

(19) “Veteran”, any person who is a citizen of this state who has been separated under honorable conditions from the Armed Forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or National Guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President and participated in any campaign or expedition for which a campaign badge or service medal has been authorized.”; and

Further amend the title and enacting clause accordingly.

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

Senator White moved that **SS** for **SCS** for **SB 718**, as amended, be adopted, which motion prevailed.

On motion of Senator White, **SS** for **SCS** for **SB 718**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 673** and **SB 560**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 673** and **560**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 673 and 560

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity.

Was taken up.

Senator Brown moved that **SCS** for **SBs 673** and **560** be adopted, which motion prevailed.

On motion of Senator Brown **SCS** for **SBs 673** and **560**, was declared perfected and ordered printed.

COMMUNICATIONS

Senator Walsh submitted the following:

March 3, 2020

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

Dear Adriane:

It has been my great pleasure to serve as the minority floor leader. As you know, with the term limits that are imposed on members of the General Assembly, there is a constant need to ensure that new leaders emerge. Because of that, please consider this correspondence to be my resignation from the role of minority floor leader effective immediately. I will continue to serve out the remainder of my term representing the people of the 13th District in the Senate.

The practice, tradition and custom of the Democratic caucus has been that when the role of minority floor leader becomes vacant, the assistant floor leader ascends to the position. This happened when Ken Jacob resigned from the Senate in 2004 and Maida Coleman ascended to the role. It also happened in 2016 when Joe Keaveny resigned from the Senate and I ascended to the role. Because of this practice, tradition and custom, Senator John Rizzo will now serve as minority floor leader. He is an intelligent and successful public servant and I anticipate he will be a fantastic leader for our caucus.

Sincerely,



Gina Walsh

Also,

Senators Burlison, Eigel, Hoskins, Koenig, O’Laughlin and Onder submitted the following:

March 2, 2020

Adriane Crouse
Secretary of the Senate
Room 325

Dear Madam Secretary,

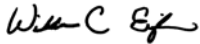
We the undersigned Senators in accordance with the provisions of Rule 45 respectfully request SRB 796 authored by Senator Hough be

removed from the Senate Consent Calendar.

Sincerely,



Eric Burlison



William Eigel



Denny Hoskins



Andrew Koenig



Cindy O'Laughlin



Bob Onder

President Pro Tem Schatz submitted the following:

March 3, 2020

Mrs. Adriane Crouse

State Capitol, Room 325

Jefferson City, MO 65109

Re: Missouri Health Facilities Review Committee

Dear Mrs. Crouse:

I hereby appoint Senator Walsh to fill the senate vacancy on the Missouri Health Facilities Review Committee.

Sincerely,



Dave Schatz

RESOLUTIONS

Senator Hough offered Senate Resolution No. 1292, regarding Mary Margaret Hughes, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1293, regarding Alanna Bryson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1294, regarding Scott Hurt, Piedmont, which was adopted.

Senator Wallingford offered Senate Resolution No. 1295, regarding Allie Ladwig, which was adopted.

Senator Riddle offered Senate Resolution No. 1296, regarding Woodrow Wilson Boulware, Hatton, which was adopted.

Senator Crawford offered Senate Resolution No. 1297, regarding Lydia Williams, which was adopted.

Senators Williams and Arthur offered Senate Resolution No. 1298, regarding Michelle Sall, Kansas City, which was adopted.

Senators Williams and Wallingford offered Senate Resolution No. 1299, regarding Breawna Austin,

Cape Girardeau, which was adopted.

Senators Williams and Rowden offered Senate Resolution No. 1300, regarding Nia Neville, Columbia, which was adopted.

INTRODUCTION OF GUESTS

Senator White introduced to the Senate, his wife, Dr. Ellen Nichols, Joplin; and representatives of the Missouri State Medical Association.

Senator Hegeman introduced to the Senate, Heather McNeely, Kathy Spero and Danielle Overly, Missouri State Medical Association; and Robert Gibson and Kim Ireland, Tiffany Care Centers, Mound City.

Senator Schupp introduced to the Senate, Dr. Jo-Ellyn Ryall, Dr. George Hruza, Dr. Edmond Cabbabe, Rima Cabbabe, Dr. Samer Cabbabe, Amanda Blecha and Dr. Lisa Alderson, representatives of the Missouri Psychiatric Physicians Association and the Missouri State Medical Association.

Senator Cunningham introduced to the Senate, Chris Harlin, Bill Trivitt, Rick Donley and Corey Hillhouse, Century Bank of the Ozarks.

Senator Wieland introduced to the Senate, Jaycee Foeller and Landon Porter, De Soto High School.

Senator Eigel introduced to the Senate, Seth Peimann, Jacki Pudlowski, Adam Coggin, Larry Howdeshell and Crystal McKellips, Missouri Healthcare Association.

Senator Burlison introduced to the Senate, Valerie Gustin, Jan Kraft, Dave Dunn and Daniel Good, Springfield.

Senator Cierpiot introduced to the Senate, Lynette M. Wheeler and Dana Davis, Truman Medical Center.

Senator Walsh introduced to the Senate, Casey Anderson, Jarrett Berhorst, Kole Bockledeg, Dalton Forck, Robert Gilbert, Clayton Libbert, Daniel Meier, Robert Welch, Mike Wolfe, Russ Unger, Ted Ramsdell and Ryan Gibson, representatives of the Missouri Coalition for Fair Competition.

Senator Schupp introduced to the Senate, Anastasha Anderson, and her children, Reuben, Heidi, Briella and Kaisa, Homeschoolers from Bridgeton.

Senator Cunningham introduced to the Senate, Sheila Marlin, and her daughter, Kyla, Marshfield.

Senator Williams introduced to the Senate, Rori Picker Neiss, University City; Dawn Buckley, Kirkwood; Christine, Corey and Elise Hyman, St. Charles; and Susan Halla, St. Louis.

Senator Eigel introduced to the Senate, Brent Holtgrewe, Missouri Athletic Trainers Association.

Senator White introduced to the Senate, Kailee, Gracie, Brynlee, Mollie, Kaden and Adalie Bach; and Allison and Hunter Downey, Homeschoolers from Greenfield.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTIETH DAY—WEDNESDAY, MARCH 4, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 957-Sater	SB 992-Burlison
SB 958-Koenig	SB 993-Burlison
SB 959-Sifton	SB 994-Bernskoetter
SB 960-Emery	SB 995-Cunningham
SB 961-Emery	SB 996-Onder
SB 962-Arthur	SB 997-Bernskoetter
SB 963-O'Laughlin	SB 998-Sifton
SB 964-O'Laughlin	SB 999-Walsh
SB 965-O'Laughlin	SB 1000-Onder
SB 966-O'Laughlin	SB 1001-Brown
SB 967-Cierpiot	SB 1002-Rizzo
SB 968-Cierpiot	SB 1003-White
SB 969-Riddle	SB 1004-Cierpiot
SB 970-Rowden	SB 1005-Schupp
SB 971-Sater	SB 1006-Hoskins
SB 972-Wieland	SB 1007-Burlison
SB 973-Wallingford	SB 1008-Burlison
SB 974-Wallingford	SB 1009-Burlison
SB 975-Wallingford	SB 1010-Sater
SB 976-Sater	SB 1011-Williams
SB 977-Wallingford	SB 1012-Wieland
SB 978-Wallingford	SB 1013-Wieland
SB 979-Wallingford	SB 1014-Sifton
SB 980-Nasheed	SB 1015-Emery
SB 981-Cierpiot	SB 1016-Crawford
SB 982-Cierpiot	SB 1017-Walsh
SB 983-Brown	SB 1018-Rizzo
SB 984-Crawford	SB 1019-Rizzo
SB 985-May	SB 1020-Schatz
SB 986-May	SB 1021-O'Laughlin
SB 987-Williams	SB 1022-O'Laughlin
SB 988-Emery	SB 1023-O'Laughlin
SB 989-May	SB 1024-Riddle
SB 990-May	SB 1025-Emery
SB 991-Walsh	SB 1026-O'Laughlin

SB 1027-O’Laughlin	SB 1058-Brown
SB 1028-White	SB 1059-Hough
SB 1029-Sater	SB 1060-Hough
SB 1030-Williams	SB 1061-Libla
SB 1031-Nasheed	SB 1062-Nasheed
SB 1032-Riddle	SB 1063-O’Laughlin
SB 1033-Hegeman	SB 1064-O’Laughlin
SB 1034-Cierpiot	SB 1065-O’Laughlin
SB 1035-Emery	SB 1066-O’Laughlin
SB 1036-White	SB 1067-Sifton
SB 1037-Walsh	SB 1068-Williams
SB 1038-Wallingford	SB 1069-Williams
SB 1039-Wallingford	SB 1070-Williams
SB 1040-Wallingford	SB 1071-Williams
SB 1041-Schupp	SB 1072-Hough
SB 1042-Nasheed	SB 1073-Hough
SB 1043-Emery	SB 1074-Hoskins
SB 1044-Crawford	SB 1075-Emery
SB 1045-Bernskoetter	SB 1076-Emery
SB 1046-Koenig	SB 1077-Onder
SB 1047-O’Laughlin	SB 1078-Onder
SB 1048-Burlison	SB 1079-Burlison
SB 1049-Burlison	SB 1080-Rizzo
SB 1050-Williams	SB 1081-Rizzo
SB 1051-Eigel	SB 1082-Bernskoetter
SB 1052-Eigel	SB 1083-Brown
SB 1053-Eigel	SB 1084-Brown
SB 1054-Cierpiot	SB 1085-Rowden
SB 1055-Rowden	SB 1086-Wieland
SB 1056-Hegeman	SB 1087-Wieland
SB 1057-Hegeman and Luetkemeyer	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1418-McGill
HCS for HB 1959	HB 1486-Rehder
HB 1566-Burnett	HCS for HB 1868
HCS for HB 1434	HB 1873-Gregory
HCS for HB 1488	HCS for HB 1696
HB 1348-Baker	HCS for HB 1787
HCS for HB 1655	HB 1694-Anderson
HB 1640-Taylor	HB 1421-Hudson
HB 2061-Christofanelli	HB 1559-Remole
HCS for HBs 1387 & 1482	HCS for HB 1289

HCS for HB 1293
HCS for HB 1331
HCS for HB 1333

HCS for HB 1683
HCS for HB 1600
HCS for HB 1912

THIRD READING OF SENATE BILLS

SB 664-Burlison

SB 587-Bernskoetter (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 677-Luetkemeyer
2. SB 569-Koenig, with SCS
3. SB 608-May, with SCS
4. SB 632-Hegeman
5. SB 590-Burlison, with SCS
6. SB 559-Schatz, with SCS
7. SB 583-Arthur, with SCS
8. SB 646-Koenig
9. SBs 675 & 705-Luetkemeyer, with SCS
10. SJRs 48, 41 & 43-Luetkemeyer, with SCS
11. SB 699-Riddle, with SCS
12. SB 714-Burlison, with SCS
13. SB 613-Emery, with SCS
14. SB 537-Libla
15. SB 572-Rowden

16. SB 748-White
17. SB 696-Sifton
18. SB 595-Hough, with SCS
19. SB 548-Hegeman
20. SB 703-Hoskins, with SCS
21. SB 605-O'Laughlin, with SCS
22. SB 640-Onder
23. SJR 44-Eigel
24. SB 647-Koenig, with SCS
25. SB 578-Crawford, with SCS
26. SB 522-Sater
27. SJR 31-Sater
28. SB 674-Brown
29. SB 661-Bernskoetter, with SCS
30. SB 645-Hoskins, with SCS

HOUSE BILLS ON THIRD READING

HB 1693-Rehder (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford

SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 553-Wieland, with SA 1 (pending)
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 575-Eigel, with SS#2 & SA 2 (pending)

SB 581-Cierpiot, with SCS
 SB 592-White
 SB 594-Hough, with SCS
 SB 636-Wieland
 SB 648-Koenig, with SCS

SB 649-Eigel
 SB 670-Hough, with SCS, SS for SCS &
 SA 1 (pending)
 SJR 32-Sater
 SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 686-Sater
 SB 774-Brown
 SB 544-Arthur
 SB 676-Luetkemeyer

SB 616-Cunningham, with SCS
 SB 725-Brown, with SCS
 SB 846-Sater

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
 SCR 29-Wallingford
 SCR 30-Schupp
 SCR 31-Emery

SCR 32-Bernskoetter
 SCR 33-May
 SCR 34-Hoskins
 SCR 35-Hoskins

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