

JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, TUESDAY, APRIL 22, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray, with a line from the Book of Genesis.

"In the beginning, God created the heavens and the earth. . ." (*Genesis 1:1*).

Almighty God, Creator of all that exists, we stand humbly before You as Creator and Lord of "the earth and its fullness, the world and those who dwell in it," (*Psalms 24:1*). We stand in reverence as You call us to live in harmony with the earth, its land, water and air.

Guide us by Your gifts of knowledge and right judgment; empower us with Your grace; help us as public servants to advance the protection of the land, water and air for the use of all the people and for future generations.

Accompany us in all our work of this day. Then, in serving people to the best of our ability, we shall indeed, serve You.

To You, Creator and Lord, be glory and honor forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eleanor Abbott Stream, Jane Louise Stream, Maryn Burns, Bjorn Carlson, Connor Locke and Caleb Seymour.

The Journal of the fifty-sixth day was approved as printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2016, relating to appropriations, was taken up by Representative Icet.

Representative Pearce assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **HCS HB 2016** was adopted.

On motion of Representative Icet, **HCS HB 2016** was ordered perfected and printed.

HCS HB 2023, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2023, Page 4, Section 23.042, by deleting the section in its entirety; and

Further amend said bill, Page 2, Section 23.008, Line 4, by inserting the following new section immediately thereafter:

“Section 23.009. To Southeast Missouri State University
For debt service payments for the Sikeston facilities \$400,000
For renovation and improvements at Perryville facilities 420,000
From Lottery Proceeds Fund \$820,000”; and

Further amend said bill by amending the title and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Icet offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2023, Page 3, Section 23.027, by deleting the section in its entirety; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 2** was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lembke
Lipke	Loehner	Marsh	May	McClanahan

Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Zimmerman
Zweifel	Mr Speaker			

NOES: 013

Curls	Daus	Dethrow	Jones 117	LeVota
Liese	Low 39	Oxford	Pratt	Schad
Villa	Whorton	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 021

Burnett	Corcoran	El-Amin	Harris 23	Haywood
Hughes	Hunter	Johnson	Jones 89	Kraus
Lampe	Lowe 44	McGhee	Meadows	Page
Roorda	Schoeller	Schoemehl	Spreng	Vogt
Young				

VACANCIES: 002

Representative Schlottach offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2023, Section 23.025, Page 3, Line 5, by deleting the number, "1,866,000" and inserting in lieu thereof the number "3,066,000"; and

Further amend said section and page, Line 6, by deleting the number, "50,000" and inserting in lieu thereof the number, "550,000"; and

Further amend said section and page, Line 7, by deleting the number, "650,000" and inserting in lieu thereof the number, "1,150,000"; and

Further amend said section and page, Line 10, by deleting the number, "78,442" and inserting in lieu thereof the number, "528,442"; and

Further amend said section and page, Line 11, by deleting the number, "\$4,000,000" and inserting in lieu thereof the number, "\$6,650,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Schlottach, **House Amendment No. 3** was adopted.

Representative Nieves assumed the Chair.

Representative Dethrow offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2023; Page 8, Section 23.100, Line 3, by deleting “For planning, design, and construction” and inserting “For planning and design”.

On motion of Representative Dethrow, **House Amendment No. 4** was adopted.

Representative Stream offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 2023, Page 2, Section 23.010, Line 5, by inserting the following new section immediately thereafter:

“Section 23.012. To the University of Missouri
For the planning and design of a new Nursing and Optometry School on the St. Louis campus
From General Revenue Fund \$300,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Stream, **House Amendment No. 5** was adopted.

Representative Dougherty offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 2023, Page 5, Section 23.063, Line 5, by inserting the following new section immediately thereafter:

“Section 23.064. To the Department of Natural Resources
For the Division of State Parks
For renovation and preservation of the Jackson County Courthouse
From General Revenue Fund \$500,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Dougherty, **House Amendment No. 6** was adopted.

Representative Curls offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 2023, Page 3, Section 23.030, Line 4, by inserting the following new section immediately thereafter:

“Section 23.032. To the Office of Administration
For the Division of Facilities Management, Design and Construction
For planning, design, and construction of a special needs sports complex in Kansas City
From General Revenue Fund \$25,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Curls, **House Amendment No. 7** was adopted.

On motion of Representative Icet, **HCS HB 2023, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2023, as amended**, was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katelyn Johar, Reagan Eastabrooks, Riley Husereaux and Josiah Bennett.

SPECIAL RECOGNITION

The College of the Ozarks Women’s Basketball Team was introduced by Representative Wallace and recognized for attaining Second Place in the NAIA Division II National Tournament.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2071 through House Resolution No. 2134

SUPPLEMENTAL CALENDAR

APRIL 22, 2008

HOUSE BILLS FOR PERFECTION

HCS HB 2260 - Storch

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HCS HB 2002: Representatives Icet, Robb, Stream, Bringer and Lampe
SCS HCS HB 2003: Representatives Icet, Robb, Stream, Bringer and Lampe
SCS HB 2004: Representatives Icet, Robb, Stream, Storch and Komo
SCS HCS HB 2005: Representatives Icet, Robb, Stream, Storch and Komo
SCS HCS HB 2006: Representatives Icet, Robb, Stream, Harris (110) and Shively
SCS HCS HB 2007: Representatives Icet, Robb, Stream, Storch and Komo
SCS HCS HB 2008: Representatives Icet, Robb, Stream, Wildberger and Nasheed
SCS HCS HB 2009: Representatives Icet, Robb, Stream, Wildberger and Nasheed
SCS HCS HB 2010: Representatives Icet, Robb, Stream, Curls and McClanahan
SCS HCS HB 2011: Representatives Icet, Robb, Stream, Curls and McClanahan
SCS HCS HB 2012: Representatives Icet, Robb, Stream, Storch and Curls
SCS HCS HB 2013: Representatives Icet, Robb, Stream, Storch and Curls

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2002:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2003:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 2004:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2005:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2006:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2007:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2008**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2009**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2010**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2011**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2012**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2013**: Senators Nodler, Mayer, Rupp, Bray and Green.

Speaker Pro Tem Pratt resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 1700, relating to professional registration, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1700, Page 26, Section 700.525, Line 22, by inserting immediately after said line the following:

"Section 1. Notwithstanding any law to the contrary, a compelling governmental interest shall be deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wasson, **House Amendment No. 1** was adopted by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hughes	Icet	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 028

Avery	Bivins	Bland	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	El-Amin	Fares	Harris 23
Haywood	Hoskins	Hubbard	Hunter	Johnson
Jones 89	Jones 117	Kraus	Low 39	Lowe 44
Marsh	Portwood	Robinson	Spreng	Stevenson
Viebrock	Young	Zweifel		

VACANCIES: 002

Representative Wasson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1700, Page 15, Section 326.292, Line 147, by inserting after all of said line the following:

"334.500. As used in sections 334.500 to 334.685, the following terms mean:

- (1) "Board", the state board of registration for the healing arts in the state of Missouri;
- (2) "Physical therapist assistant", a person who is licensed as a physical therapist assistant by the board or a person who was actively engaged in practice as a physical therapist assistant on August 28, 1993;
- (3) "Physical therapist", a person who is licensed to practice physical therapy;
- (4) "**Practice of physical therapy**", the examination, treatment and instruction of human beings to assess, prevent, correct, alleviate and limit physical disability, movement dysfunction, bodily malfunction and pain from injury, disease and any other bodily condition, such term includes, but is not limited to, the administration, interpretation and evaluation of physical therapy tests and measurements of bodily functions and structures; the planning, administration, evaluation and modification of treatment and instruction, including the use of physical measures, activities and devices, for preventive and therapeutic purposes; and the provision of consultative, educational, research and other advisory services for the purpose of reducing the incidence and severity of physical disability, movement dysfunction, bodily malfunction and pain does not include the use of surgery or obstetrics or the administration of x-radiation, radioactive substance, diagnostic x-ray, diagnostic laboratory electrocautery, electrosurgery or invasive tests or the prescribing of any drug or medicine or the administration or dispensing of any drug or medicine other than a topical agent administered or dispensed upon the direction of a physician. Physical therapists may perform electromyography and nerve conduction tests but may not interpret the results of the electromyography or nerve conduction test. Physical therapists shall practice physical therapy within the scope of their education and training as provided in sections 334.500 to 334.620.

334.506. 1. [Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from providing educational resources and training, developing fitness or wellness programs for asymptomatic persons, or providing screening or consultative services within the scope of physical therapy practice without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that no physical therapist shall initiate treatment for a new injury or illness without the prescription or direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing.

2. Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from examining and treating, without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person with a recurring, self-limited injury within one year of diagnosis by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, or any person with a chronic illness that has been previously diagnosed by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that a physical therapist shall contact the patient's current physician, chiropractor, dentist, or podiatrist, within seven days of initiating physical therapy services, pursuant to this subsection, shall not change an existing physical therapy referral available to the physical therapist without approval of the patient's current physician, chiropractor, dentist, or podiatrist, and shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor

pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any patient whose medical condition should, at the time of examination or treatment, be determined to be beyond the scope of practice of physical therapy. A physical therapist shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or as a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person whose condition, for which physical therapy services are rendered pursuant to this subsection, has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever shall come first. If the person's condition for which physical therapy services are rendered under this subsection shall be documented to be progressing toward documented treatment goals, a physical therapist may continue treatment without referral from a physician, chiropractor, dentist or podiatrist, whose license is in good standing. If treatment rendered under this subsection is to continue beyond thirty days, a physical therapist shall notify the patient's current physician, chiropractor, dentist, or podiatrist before continuing treatment beyond the thirty-day limitation. A physical therapist shall also perform such notification before continuing treatment rendered under this subsection for each successive period of thirty days.] **As used in this section, "approved health care provider" means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, RSMo, a dentist under chapter 332, RSMo, a podiatrist under chapter 330, RSMo, a physician assistant under this chapter, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.**

2. A physical therapist shall not initiate treatment for a new injury or illness without a prescription from an approved health care provider.

3. A physical therapist may provide educational resources and training, develop fitness or wellness programs for asymptomatic persons, or provide screening or consultative services within the scope of physical therapy practice without the prescription and direction of an approved health care provider.

4. A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:

(1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;

(2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;

(3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;

(4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;

(5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days.

[3.] **5.** The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. Physical therapy treatment provided pursuant to the provisions of subsection [2] **4** of this section, may be delegated by physical therapists to physical therapist assistants only if the patient's current [physician, chiropractor, dentist, or podiatrist] **approved health care provider** has been so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection [2] **4** of this section. Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of [a physician and surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing] **an approved health care provider**. Nothing in this subsection shall prohibit [a person licensed or registered

as a physician or surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing,] **an approved health care provider** from acting within the scope of their practice as defined by the applicable chapters of RSMo.

[4.] **6.** No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

7. A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who satisfy supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry level person shall be under onsite supervision of a physical therapist.

334.525. 1. Notwithstanding any other provision of law to the contrary, any person licensed as a physical therapist or physical therapist assistant under this chapter may apply to the state board of registration for the healing arts for an inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by the board by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive or who has discontinued his or her practice because of retirement shall not practice his or her profession within this state. Such person may continue to use the title of his or her profession or the initials of his or her profession after such person's name.

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of his or her intention, paying the appropriate fees, and meeting all established requirements of the board as a condition of reinstatement.

334.530. 1. A candidate for license to practice as a physical therapist shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's good moral character and the person's educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subsection 1 of this section. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the [person signing the statement] **applicant**, subject to the penalties of making a false affidavit or declaration.

3. [The board shall not issue a permanent license to practice as a physical therapist or allow any person to sit for the Missouri state board examination for physical therapists who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;

(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times.

5.] The examination of qualified candidates for licenses to practice physical therapy shall [include a written examination and shall embrace the subjects taught in reputable programs of physical therapy education, sufficiently strict to test the qualifications of the candidates as practitioners] **test entry-level competence as related to physical therapy**

theory, examination and evaluation, physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.

[6.] **4.** The examination shall embrace, in relation to the human being, the subjects of anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy theory and procedures as related to medicine, surgery and psychiatry, and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice physical therapy.

5. The applicant shall pass a test administered by the board on the laws and rules related to the practice of physical therapy in Missouri.

334.540. **1.** The board shall issue a license to any physical therapist who [is licensed] **possesses an active license** in another jurisdiction and who has had no violations, suspensions or revocations of a license to practice physical therapy in any jurisdiction, provided that, such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of physical therapists in Missouri at the time the applicant applies for licensure.

2. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in subsection 1 of this section, shall be required to pay the same fee as the fee required to be paid by applicants who apply to take the examination before the board. Within the limits provided in this section, the board may negotiate reciprocal compacts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

3. [Notwithstanding the provisions of subsections 1 and 2 of this section, the board shall not issue a license to any applicant who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;

(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times] **The applicant shall pass a test administered by the board on the laws and rules related to practice of physical therapy in Missouri.**

334.550. **1.** An applicant who has not been previously examined in **this state or** another jurisdiction and meets the qualifications of subsection 1 of section 334.530, **or an applicant applying for reinstatement of an inactive license under a supervised active practice,** may pay a temporary license fee and submit an agreement-to-supervise form, which is signed by the applicant's supervising physical therapist, to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only engage in the practice of physical therapy under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in this state and shall provide the board proof of active clinical practice in this state for a minimum of one year prior to supervising a temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant.** The board shall define **immediate family member** and the scope of such supervision by rules and regulations. **The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases. A licensed physical therapist shall not supervise more than one temporary licensee.**

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased,** or within ninety days of its issuance, whichever occurs first.

3. The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.

334.560. The board shall charge each person who applies for examination for a license to practice as a physical therapist an examination fee. Should the examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant failing to pass the examination may reapply [and return to any meeting] and be examined upon payment of a reexamination fee[; but no temporary license may be issued to such persons].

334.570. 1. Every person licensed under sections 334.500 to 334.620 shall, on or before the registration renewal date, apply to the board for a certificate of registration for the ensuing licensing period. The application shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

(1) The applicant's full name [and the address at which the person practices and the address at which the person resides and the date and number of such person's license];

(2) **The applicant's office address or addresses and telephone number or numbers;**

(3) **The applicant's home address and telephone number;**

(4) **The date and number of the applicant's license;**

(5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of a hospital, physical therapy facility, state, territory, federal agency or county; and**

(6) **Information concerning the applicant's current physical and mental fitness to practice his or her profession.**

The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy. The test process, dates, and passing scores shall be established by the board by rule.

2. A [blank form] **notice** for application for registration shall be [mailed] **made available** to each person licensed in this state [at the person's last known address of practice or residence]. The failure to [mail the form of application or the failure to receive it] **receive the notice** does not, however, relieve any person of the duty to register and pay the fee required by sections 334.500 to 334.620 nor exempt such person from the penalties provided by sections 334.500 to 334.620 for failure to register.

3. If a physical therapist does not renew such license for two consecutive renewal periods, such license shall be deemed void.

4. Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.

5. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule, the delinquent fee may be waived by the board.

6. Upon application and submission by such person of evidence satisfactory to the board that such person is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.

7. Upon receiving such certificate, every person shall cause the certificate to be readily available or conspicuously displayed at all times in every practice location maintained by such person in the state. If the licensee maintains more than one practice location in this state, the board shall, without additional fee, issue to such licensee duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, the licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.

8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

334.601. The board shall set the amount of the fees which this chapter authorizes and requires by rule. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

334.602. 1. Physical therapists and physical therapist assistants shall provide documentation in order that an adequate and complete patient record can be maintained. All patient records shall be legible and available for review and shall include at a minimum documentation of the following information:

- (1) Identification of the patient, including name, birthdate, address, and telephone number;
- (2) The date or dates the patient was seen;
- (3) The current status of the patient, including the reason for the visit;
- (4) Observation of pertinent physical findings;
- (5) Assessment and clinical impression of physical therapy diagnosis;
- (6) Plan of care and treatment;
- (7) Documentation of progress toward goals;
- (8) Informed consent;
- (9) Discharge summary.

2. Patient records remaining under the care, custody, and control of the licensee shall be maintained by the licensee of the board, or the licensee's designee, for a minimum of seven years from the date of when the last professional service was provided.

3. Any correction, addition, or change in any patient record shall be clearly marked and identified as such, and the date, time, and name of the person making the correction, addition, or change shall be included, as well as the reason for the correction, addition, or change.

4. The board shall not obtain a patient medical record without written authorization from the patient to obtain the medical record or the issuance of a subpoena for the patient medical record.

334.610. Any person who holds himself or herself out to be a physical therapist or a licensed physical therapist within this state or any person who advertises as a physical therapist or claims that the person can render physical therapy services and who, in fact, does not hold a valid physical therapist license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist, or who uses in connection with such person's name the words or letters "physical therapist", "physiotherapist", "registered physical therapist", "**doctor of physical therapy**", "P.T.", "Ph.T.", "P.T.T.", "R.P.T.", "**D.P.T.**", "**M.P.T.**", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist without a valid existing license as a physical therapist issued to such person pursuant to the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. Nothing in sections 334.500 to 334.620 shall prohibit any person licensed in this state under chapter 331, RSMo, from carrying out the practice for which the person is duly licensed, or from advertising the use of physiologic and rehabilitative modalities; nor shall it prohibit any person licensed or registered in this state under section 334.735 or any other law from carrying out the practice for which the person is duly licensed or registered; nor shall it prevent professional and semiprofessional teams, schools, YMCA clubs, athletic clubs and similar organizations from furnishing treatment to their players and members. This section, also, shall not be construed so as to prohibit masseurs and masseuses from engaging in their practice not otherwise prohibited by law and provided they do not represent themselves as physical therapists. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the commission for accreditation of physical therapists and physical therapist assistant education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under on-site supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Services, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

334.611. Notwithstanding any other provision of law to the contrary, any qualified physical therapist who is legally authorized to practice under the laws of another state may practice as a physical therapist in this state without examination by the board or payment of any fee if such practice consists solely of the provision of gratuitous services provided for a summer camp or teaching or participating in a continuing educational seminar for a period not to exceed fourteen days in any one calendar year. Nothing in sections 334.500 to 334.625 shall be construed to prohibit isolated or occasional gratuitous service to and treatment of the afflicted or to prohibit

physical therapists from other nations, states, or territories from performing their duties for their respective teams or organizations during the course of their teams' or organizations' stay in this state.

334.612. 1. If the board finds merit to a complaint by an individual incarcerated or under the care and control of the department of corrections and takes further investigative action, no documentation shall appear on file or disciplinary action shall be taken in regards to the licensee's license unless the provisions of subsection 2 of section 334.613 have been violated. Any case file documentation that does not result in the board filing an action under subsection 2 of section 334.613 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 334.613 have been violated.

2. Upon written request of the physical therapist or physical therapist assistant subject to a complaint prior to August 28, 1999, by an individual incarcerated or under the care and control of the department of corrections that did not result in the board filing an action described in subsection 2 of section 334.613, the board and the division of professional registration shall in a timely fashion:

- (1)** Destroy all documentation regarding the complaint;
- (2)** If previously notified of the complaint, notify any other licensing board in another state or any national registry regarding the board's actions; and
- (3)** Send a letter to the licensee that clearly states that the board found the complaint to be unsubstantiated, that the board has taken the requested action, and notify the licensee of the provisions of subsection 3 of this section.

3. Any person who has been the subject of an unsubstantiated complaint as provided in subsection 1 or 2 of this section shall not be required to disclose the existence of such complaint in subsequent applications or representations relating to their practice.

334.613. 1. The board may refuse to issue or renew a license to practice as a physical therapist or physical therapist assistant for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo. As an alternative to a refusal to issue or renew a license to practice as a physical therapist or physical therapist assistant, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of a license to practice as a physical therapist or physical therapist assistant who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

- (1)** Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of a physical therapist or physical therapist assistant;
- (2)** The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of a physical therapist or physical therapist assistant, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3)** Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit, or license issued under this chapter or in obtaining permission to take any examination given or required under this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of a physical therapist or physical therapist assistant, including but not limited to the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for sessions of physical therapy which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment or services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine, or device;

(f) Performing services which have been declared by board rule to be of no physical therapy value;

(g) Final disciplinary action by any professional association, professional society, licensed hospital or medical staff of the hospital, or physical therapy facility in this or any other state or territory, whether agreed to voluntarily or not, and including but not limited to any removal, suspension, limitation, or restriction of the person's professional employment, malpractice, or any other violation of any provision of this chapter;

(h) Administering treatment without sufficient examination, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional physical therapy practice;

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a physical therapist or physical therapist assistant/patient relationship exists; making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with patients or clients;

(j) Terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's physical therapy records to treating physicians, other physical therapists, or hospitals upon proper request; or failing to comply with any other law relating to physical therapy records;

(l) Failure of any applicant or licensee, other than the licensee subject to the investigation, to cooperate with the board during any investigation;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license renewal fees specified in this chapter;

(o) Violating a probation agreement with this board or any other licensing agency;

(p) Failing to inform the board of the physical therapist's or physical therapist assistant's current telephone number, residence, and business address;

(q) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physical therapist or physical therapist assistant. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation, or association which issues or conducts such advertising;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of a physical therapist or physical therapist assistant. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule adopted under this chapter;

(7) Impersonation of any person licensed as a physical therapist or physical therapist assistant or allowing any person to use his or her license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation, or other final disciplinary action against a physical therapist or physical therapist assistant for a license or other

right to practice as a physical therapist or physical therapist assistant by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including but not limited to the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of physical therapy while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice who is not licensed and currently eligible to practice under this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice physical therapy who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a license to practice as a physical therapist or physical therapist assistant based upon a material mistake of fact;

(12) Failure to display a valid license pursuant to practice as a physical therapist or physical therapist assistant;

(13) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any document executed in connection with the practice of physical therapy;

(14) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of physical therapy services for all patients, or the qualifications of an individual person or persons to render, or perform physical therapy services;

(15) Using, or permitting the use of, the person's name under the designation of "physical therapist", "physiotherapist", "registered physical therapist", "P.T.", "Ph.T.", "P.T.T.", "D.P.T.", "M.P.T." or "R.P.T.", "physical therapist assistant", "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(16) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment under chapter 208, RSMo, or chapter 630, RSMo, or for payment from Title XVIII or Title XIX of the federal Medicare program;

(17) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary facility or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in any physical therapy facility to the board, in writing, within thirty days after the discovery thereof;

(18) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon under this chapter, as a physician assistant under this chapter, as a chiropractor under chapter 331, RSMo, as a dentist under chapter 332, RSMo, as a podiatrist under chapter 330, RSMo, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing;

(19) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.685;

(20) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a physician who is authorized by law to do so;

(21) Failing to maintain adequate patient records under 334.602;

(22) Attempting to engage in conduct that subverts or undermines the integrity of the licensing examination or the licensing examination process, including but not limited to utilizing in any manner recalled or memorized licensing examination questions from or with any person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with any other examinees during the test, or copying or sharing licensing examination questions or portions of questions;

(23) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant who requests, receives, participates or engages directly or indirectly in the division, transferring, assigning, rebating or refunding of fees received for professional services or profits by means of a

credit or other valuable consideration such as wages, an unearned commission, discount or gratuity with any person who referred a patient, or with any relative or business associate of the referring person;

(24) Being unable to practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients by reasons of incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physical therapist or physical therapist assistant to submit to a reexamination for the purpose of establishing his or her competency to practice as a physical therapist or physical therapist assistant conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physical therapist's or physical therapist assistant's professional conduct, or to submit to a mental or physical examination or combination thereof by a facility or professional approved by the board;

(b) For the purpose of this subdivision, every physical therapist and physical therapist assistant licensed under this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physical therapist, physical therapist assistant or applicant without the physical therapist's, physical therapist assistant's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physical therapist or physical therapist assistant, by registered mail, addressed to the physical therapist or physical therapist assistant at the physical therapist's or physical therapist assistant's last known address. Failure of a physical therapist or physical therapist assistant to submit to the examination when directed shall constitute an admission of the allegations against the physical therapist or physical therapist assistant, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physical therapist's or physical therapist assistant's control. A physical therapist or physical therapist assistant whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physical therapist or physical therapist assistant can resume the competent practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients;

(e) In any proceeding under this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physical therapist or physical therapist assistant in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 3 of this section.

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure or place the physical therapist or physical therapist assistant named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend the physical therapist's or physical therapist assistant's license for a period not to exceed three years;

(3) Restrict or limit the physical therapist's or physical therapist assistant's license for an indefinite period of time;

(4) Revoke the physical therapist's or physical therapist assistant's license;

(5) Administer a public or private reprimand;

(6) Deny the physical therapist's or physical therapist assistant's application for a license;

(7) Permanently withhold issuance of a license;

(8) Require the physical therapist or physical therapist assistant to submit to the care, counseling or treatment of physicians designated by the board at the expense of the physical therapist or physical therapist assistant to be examined;

(9) Require the physical therapist or physical therapist assistant to attend such continuing educational courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the physical therapist or physical therapist assistant shall not apply for reinstatement of the physical therapist's or physical therapist assistant's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

5. Before restoring to good standing a license issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

6. In any investigation, hearing or other proceeding to determine a physical therapist's, physical therapist assistant's or applicant's fitness to practice, any record relating to any patient of the physical therapist, physical therapist assistant, or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such physical therapist, physical therapist assistant, applicant, record custodian, or patient might otherwise invoke. In addition, no such physical therapist, physical therapist assistant, applicant, or record custodian may withhold records or testimony bearing upon a physical therapist's, physical therapist assistant's, or applicant's fitness to practice on the ground of privilege between such physical therapist, physical therapist assistant, applicant, or record custodian and a patient.

334.614. 1. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, the board shall at least quarterly publish a list of the names and addresses of all physical therapists and physical therapist assistants who hold licenses under the provisions of this chapter, and shall publish a list of all physical therapists and physical therapist assistants whose licenses have been suspended, revoked, surrendered, restricted, denied, or withheld.

2. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, in addition, the board shall prepare and make available to the public a report upon the disciplinary matters submitted to them where the board recommends disciplinary action, except in those instances when physical therapists and physical therapist assistants possessing licenses voluntarily enter treatment and monitoring programs for purposes of rehabilitation and, in such instances, only such specific action shall not be reported with any other actions taken prior to, as part of, or following voluntary entrance into such treatment programs. The report shall set forth findings of fact and any final disciplinary actions of the board. If the board does not recommend disciplinary action, a report stating that no action is recommended shall be prepared and forwarded to the complaining party.

334.615. 1. Upon receipt of information that the holder of any license as a physical therapist or physical therapist assistant issued under this chapter may present a clear and present danger to the public health and safety, the executive director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending or restricting the holder of a license as a physical therapist or physical therapist assistant if it believes:

(1) The licensee's acts, conduct, or condition may have violated subsection 2 of section 334.613; and

(2) A licensee is practicing, attempting, or intending to practice in Missouri; and

(3) (a) A licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice; or

(b) Another state, territory, federal agency, or country has issued an order suspending or restricting the physical therapist's or physical therapist assistant's right to practice his or her profession; or

(c) The licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.613; and

(4) The acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

- (a) Shall be based on the sworn testimony or affidavits presented to the board;
- (b) May be issued without notice and hearing to the licensee;
- (c) Shall include the facts which lead the board to conclude that the acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed under this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3 of this section.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that adopts, terminates, or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission under section 621.110, RSMo, and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physical therapist or physical therapist assistant licensed under this chapter, and such petition is subsequently denied by the administrative hearing commission, in addition to any award made under sections 536.085 and 536.087, RSMo, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610, RSMo, or chapter 621, RSMo, to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.

334.616. 1. A license issued under this chapter by the Missouri state board of registration for the healing arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States

of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit, or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

334.617. 1. Upon application by the board and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a license is required by chapters 334.500 to 334.687 upon a showing that such acts or practices were performed or offered to be performed without a license; or

(2) Engaging in any practice or business authorized by a license issued under chapters 334.500 to 334.687 upon a showing that the holder presents a substantial probability of serious danger to the health, safety, or welfare of any resident of the state or client or patient of the licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides or Cole County.

3. Any action brought under this section shall be in addition to and not in lieu of any penalty provided by chapters 334.500 to 334.687 and may be brought concurrently with other actions to enforce chapters 334.500 to 334.687.

334.618. Upon receiving information that any provision of sections 334.500 to 334.687 has been or is being violated, the executive director of the board or other person designated by the board shall investigate, and upon probable cause appearing, the executive director shall, under the direction of the board, file a complaint with the administrative hearing commission or appropriate official or court. All such complaints shall be handled as provided by rule promulgated under subdivision (6) of subsection 16 of section 620.010, RSMo.

334.650. 1. After January 1, 1997, no person shall hold himself or herself out as being a physical therapist assistant in this state unless the person is licensed as provided in sections 334.650 to 334.685.

2. A licensed physical therapist shall direct and supervise a physical therapist assistant [at all times. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program]. **The physical therapist shall retain ultimate authority and responsibility for the physical therapy treatment. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program.** No physical therapist may establish a treating office in which the physical therapist assistant is the primary care provider. No licensed physical therapist shall have under their direct supervision more than four **full-time equivalent** physical therapist assistants.

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall be at least nineteen years of age. A candidate shall furnish evidence of the person's good moral character and of the person's educational qualifications. The educational requirements for licensure as a physical therapist assistant are:

(1) A certificate of graduation from an accredited high school or its equivalent; and

(2) Satisfactory evidence of completion of an associate degree program of physical therapy education accredited by the commission on accreditation of physical therapy education. 2. Persons desiring to practice as a physical therapist assistant in this state shall appear before the board at such time and place as the board may direct and be examined as to the person's fitness to engage in such practice. Applications for examination shall be [in writing,] on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications provided in subsection 1 of this section. Each application shall contain a statement that the statement is

made under oath of affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the statement, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licensure to practice as physical therapist assistants shall embrace [a written] **an** examination [and] which shall cover the curriculum taught in accredited associate degree programs of physical therapy assistant education. Such examination shall be sufficient to test the qualification of the candidates as practitioners.

4. [The board shall not issue a license to practice as a physical therapist assistant or allow any person to sit for the Missouri state board examination for physical therapist assistants who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

5. The board may waive the provisions of subsection 4 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

6.] The examination shall include, as related to the human body, the subjects of anatomy, kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as related to medicine and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice as a physical therapist assistant.

5. The applicant shall pass a test administered by the board on the laws and rules related to the practice as a physical therapist assistant in this state.

[7.] 6. The board shall license without examination any legally qualified person who is a resident of this state and who was actively engaged in practice as a physical therapist assistant on August 28, 1993. The board may license such person pursuant to this subsection until ninety days after the effective date of this section.

[8.] 7. A candidate to practice as a physical therapist assistant who does not meet the educational qualifications may submit to the board an application for examination if such person can furnish written evidence to the board that the person has been employed in this state for at least three of the last five years under the supervision of a licensed physical therapist and such person possesses the knowledge and training equivalent to that obtained in an accredited school. The board may license such persons pursuant to this subsection until ninety days after rules developed by the state board of healing arts regarding physical therapist assistant licensing become effective.

334.660. 1. The board shall license without examination legally qualified persons who [hold] **possess active** certificates of licensure, registration or certification in any state or territory of the United States or the District of Columbia, who have had no violations, suspensions or revocations of such license, registration or certification, if such persons have passed [a written] **an** examination to practice as a physical therapist assistant that was substantially equal to the examination requirements of this state and in all other aspects, including education, the requirements for such certificates of licensure, registration or certification were, at the date of issuance, substantially equal to the requirements for licensure in this state.

2. [The board shall not issue a license to any applicant who has failed three or more times any physical therapist assistant licensing examination administered in one or more states or territories of the United States or the District of Columbia.

3. The board may waive the provisions of subsection 1 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

4.] Every applicant for a license pursuant to this section, upon making application and providing documentation of the necessary qualifications as provided in this section, shall pay the same fee required of applicants to take the examination before the board. Within the limits of this section, the board may negotiate reciprocal contracts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

3. The applicant shall successfully pass a test administered by the board on the laws and rules related to practice as a physical therapist assistant in this state.

334.665. 1. An applicant who has not been previously examined in another jurisdiction and meets the qualifications of subsection 1 of section 334.655 **or an applicant applying for reinstatement of an inactive license under a supervised active practice** may pay a temporary license fee and submit an agreement-to-supervise form which is signed by the applicant's supervising physical therapist to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only practice under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in the state of Missouri and shall provide the board proof of active clinical practice in the state of Missouri for a minimum of one year prior to supervising the temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant. The board shall define immediate family member and the scope of such supervision by rule. The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases.** A licensed physical therapist shall supervise no more than one temporary licensee. [The board shall define the scope of such supervision by rules and regulations.]

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased,** or within ninety days of its issuance, whichever occurs first.

3. **The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.**

334.670. The board shall charge a person, who applies for examination for a license to practice as a physical therapist assistant, an examination fee. If the person does not score a passing grade on the examination, the board may refuse to issue a license. Any applicant who fails to pass the examination may reapply and be reexamined upon payment of a reexamination fee. [No temporary license may be issued to any person who has previously failed the examination in Missouri or any other state or jurisdiction.]

334.675. 1. Every person licensed pursuant to sections 334.650 to 334.685 shall, on or before the licensing renewal date, apply to the board for a certificate of licensure for the next licensing period. The application for renewal shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

(1) The applicant's full name [and the address at which the applicant practices and the address at which the applicant resides and];

(2) **The applicant's office address or addresses and telephone number or numbers;**

(3) **The applicant's home address and telephone number;**

(4) The date and number of the applicant's license;

(5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of the hospital, physical therapy facility, state, territory, federal agency or country; and**

(6) **Information concerning the applicant's current physical and mental fitness to practice the applicant's profession.**

The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy in this state. The test process, dates, and passing scores shall be established by the board by rule.

2. A [blank application form] **notice** shall be [mailed] **made available** to each person licensed in this state [pursuant to sections 334.650 to 334.685 at the person's last known address of practice or residence. The failure to mail the application for or the failure to receive the application form]. **The failure to receive the notice** does not relieve any person of the duty to renew the person's license and pay the renewal fee as required by sections 334.650 to 334.685 nor shall it exempt the person from the penalties provided by sections 334.650 to 334.685 for failure to renew a license.

3. **If a physical therapist assistant does not renew such license for two consecutive renewal periods, such license shall be deemed voided.**

4. Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.

5. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, if in the opinion of the board the applicant's failure to register is caused by extenuating circumstances, including illness of the applicant as defined by rule, the delinquent fee may be waived by the board.

6. Upon due application therefore and upon submission by such person of evidence satisfactory to the board that he or she is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.

7. Upon receiving such certificate, every person shall cause it to be readily available or conspicuously displayed at all times in every practice location maintained by such licensee in the state. If the licensee maintains more than one practice location in this state, the board shall without additional fee issue to them duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, such licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.

8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

334.686. Any person who holds himself or herself out to be a physical therapist assistant or a licensed physical therapist assistant within this state or any person who advertises as a physical therapist assistant and who, in fact, does not hold a valid physical therapist assistant license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist assistant, or who uses in connection with such person's name the words or letters, "physical therapist assistant", the letters "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist assistant without a valid existing license as a physical therapist assistant issued to such person under the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under onsite supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Forces, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

334.687. 1. For purposes of this section, the licensing of physical therapists and physical therapist assistants shall take place within processes established by the state board of registration for the healing arts through rules. The board of healing arts is authorized to adopt rules establishing licensing and renewal procedures, supervision of physical therapist assistants, and former licensees who wish to return to the practice of physical therapy, fees, and addressing such other matters as are necessary to protect the public and discipline the profession.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, 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, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, 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, 2008, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 2** was adopted by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Jones 89	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 002

Skaggs Whorton

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Avery	Baker 123	Chappelle-Nadal	Corcoran	El-Amin
Hubbard	Johnson	Jones 117	Kraus	Marsh
McGhee	Robinson	Spreng	Young	Zweifel

VACANCIES: 002

Representative Wasson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1700, Page 16, Section 338.132, Line 12, by inserting after all of said line the following:

"339.010. 1. A "real estate broker" is any person, partnership, association, or corporation, foreign or domestic who, for another, and for a compensation or valuable consideration, does, or attempts to do, any or all of the following:

- (1) Sells, exchanges, purchases, rents, or leases real estate;
- (2) Offers to sell, exchange, purchase, rent or lease real estate;
- (3) Negotiates or offers or agrees to negotiate the sale, exchange, purchase, rental or leasing of real estate;
- (4) Lists or offers or agrees to list real estate for sale, lease, rental or exchange;
- (5) Buys, sells, offers to buy or sell or otherwise deals in options on real estate or improvements thereon;
- (6) Advertises or holds himself or herself out as a licensed real estate broker while engaged in the business of buying, selling, exchanging, renting, or leasing real estate;
- (7) Assists or directs in the procuring of prospects, calculated to result in the sale, exchange, leasing or rental of real estate;
- (8) Assists or directs in the negotiation of any transaction calculated or intended to result in the sale, exchange, leasing or rental of real estate;
- (9) Engages in the business of charging to an unlicensed person an advance fee in connection with any contract whereby the real estate broker undertakes to promote the sale of that person's real estate through its listing in a publication issued for such purpose intended to be circulated to the general public;
- (10) Performs any of the foregoing acts [as an employee of, or] on behalf of[,] the owner of real estate, or interest therein, or improvements affixed thereon, for compensation.

2. A "real estate salesperson" is any person who for a compensation or valuable consideration becomes associated, either as an independent contractor or employee, either directly or indirectly, with a real estate broker to do any of the things above mentioned. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not be construed to deny a real estate salesperson who is compensated solely by commission the right to be associated with a broker as an independent contractor.

3. The term "commission" as used in sections 339.010 to 339.180 and sections 339.710 to 339.860 means the Missouri real estate commission.

4. "Real estate" for the purposes of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall mean, and include, leaseholds, as well as any other interest or estate in land, whether corporeal, incorporeal, freehold or nonfreehold, and the real estate is situated in this state.

5. "Advertising" shall mean any communication, whether oral or written, between a licensee or other entity acting on behalf of one or more licensees and the public; it], **and** shall include, but not be limited to, business cards, signs, insignias, letterheads, radio, television, newspaper and magazine ads, Internet advertising, web sites, display or group ads in telephone directories, and billboards.

6. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not apply to:

- (1) Any person, partnership, association, or corporation who as owner, lessor, or lessee shall perform any of the acts described in subsection 1 of this section with reference to property owned or leased by them, or to the regular employees thereof[, provided such owner, lessor, or lessee is not engaged in the real estate business];
- (2) Any licensed attorney-at-law;
- (3) An auctioneer employed by the owner of the property;
- (4) Any person acting as receiver, trustee in bankruptcy, administrator, executor, or guardian or while acting under a court order or under the authority of a will, trust instrument or deed of trust or as a witness in any judicial proceeding or other proceeding conducted by the state or any governmental subdivision or agency;
- (5) Any person employed or retained to manage real property by, for, or on behalf of the agent or the owner of any real estate shall be exempt from holding a license, if the person is limited to one or more of the following activities:
 - (a) Delivery of a lease application, a lease, or any amendment thereof, to any person;
 - (b) Receiving a lease application, lease, or amendment thereof, a security deposit, rental payment, or any related payment, for delivery to, and made payable to, a broker or owner;
 - (c) Showing a rental unit to any person, as long as the employee is acting under the direct instructions of the broker or owner, including the execution of leases or rental agreements;

- (d) Conveying information prepared by a broker or owner about a rental unit, a lease, an application for lease, or the status of a security deposit, or the payment of rent, by any person;
- (e) Assisting in the performance of brokers' or owners' functions, administrative, clerical or maintenance tasks;
- (f) If the person described in this section is employed or retained by, for, or on behalf of a real estate broker, the real estate broker shall be subject to discipline under this chapter for any conduct of the person that violates this chapter or the regulations promulgated thereunder;
- (6) Any officer or employee of a federal agency or the state government or any political subdivision thereof performing official duties;
- (7) Railroads and other public utilities regulated by the state of Missouri, or their subsidiaries or affiliated corporations, or to the officers or regular employees thereof, unless performance of any of the acts described in subsection 1 of this section is in connection with the sale, purchase, lease or other disposition of real estate or investment therein unrelated to the principal business activity of such railroad or other public utility or affiliated or subsidiary corporation thereof;
- (8) Any bank, trust company, savings and loan association, credit union, insurance company, mortgage banker, or farm loan association organized under the laws of this state or of the United States when engaged in the transaction of business on its own behalf and not for others;
- (9) Any newspaper, magazine, periodical, Internet site, Internet communications, or any form of communications regulated or licensed by the Federal Communications Commission or any successor agency or commission whereby the advertising of real estate is incidental to its operation;
- (10) Any developer selling Missouri land owned by the developer;
- (11) Any employee acting on behalf of a nonprofit community, or regional economic development association, agency or corporation which has as its principal purpose the general promotion and economic advancement of the community at large, provided that such entity:
 - (a) Does not offer such property for sale, lease, rental or exchange on behalf of another person or entity;
 - (b) Does not list or offer or agree to list such property for sale, lease, rental or exchange; or
 - (c) Receives no fee, commission or compensation, either monetary or in kind, that is directly related to sale or disposal of such properties. An economic developer's normal annual compensation shall be excluded from consideration as commission or compensation related to sale or disposal of such properties; or
- (12) Any neighborhood association, as that term is defined in section 441.500, RSMo, that without compensation, either monetary or in kind, provides to prospective purchasers or lessors of property the asking price, location, and contact information regarding properties in and near the association's neighborhood, including any publication of such information in a newsletter, Internet site, or other medium."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 3** was adopted by the following vote:

AYES: 139

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Jones 89	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Lochner	Low 39	Lowe 44	May	McClanahan

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McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 001

Hughes

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 020

Avery	Baker 123	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Donnelly	El-Amin	Harris 23	Johnson
Jones 117	Kraus	Marsh	Nieves	Portwood
Robinson	Spreng	Wright-Jones	Young	Zweifel

VACANCIES: 002

Representative Jones (89) assumed the Chair.

Representative Darrough requested a division of the question on **HCS HB 1700, as amended.**

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Bivins	Brandom	Brown 30	Bruns	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Kasten	Kelly

Kingery	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 052

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Quinn 9	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 123	Burnett	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Donnelly	Dusenberg	El-Amin
Harris 23	Johnson	Jones 117	Kraus	Lembke
Low 39	Marsh	Meadows	Page	Robinson
Roorda	Spreng	Walton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Wasson, **Part I of HCS HB 1700** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Kasten	Kelly	Kingery	Lembke

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Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Donnelly	El-Amin	Harris 23	Johnson	Jones 117
Kraus	Low 39	Marsh	Robinson	Salva
Schaaf	Spreng	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wasson, **Part II of HCS HB 1700, as amended**, was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Bruns	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance

Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 053

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Darrough	Daus	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 123	Burnett	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Curls	Donnelly	El-Amin
Harris 23	Hunter	Johnson	Jones 117	Kraus
Low 39	Marsh	Nasheed	Robinson	Rucker
Salva	Schlottach	Spreng	Young	Zweifel
Mr Speaker				

VACANCIES: 002

On motion of Representative Wasson, **Part III of HCS HB 1700** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson

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Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 052

Aull	Baker 25	Bringer	Brown 50	Casey
Curls	Darrough	Daus	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Bland	Burnett	Chappelle-Nadal	Corcoran
Denison	Donnelly	El-Amin	Harris 23	Hunter
Johnson	Jones 117	Kraus	Low 39	Marsh
McGhee	Robinson	Rucker	Salva	Scavuzzo
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wasson, **Part IV of HCS HB 1700, as amended**, was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Kelly	Kingery	Lembke	Lipke
Loehner	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb

Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 051

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Quinn 9	Roorda	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Burnett	Chappelle-Nadal	Corcoran	Donnelly
El-Amin	Harris 23	Hodges	Hunter	Johnson
Jones 117	Kasten	Kraus	Low 39	Marsh
Page	Robinson	Rucker	Salva	Spreng
Wright-Jones	Young	Zweifel		

VACANCIES: 002

On motion of Representative Wasson, **Part V of HCS HB 1700, as amended**, was adopted.

On motion of Representative Wasson, **HCS HB 1700, as amended**, was ordered perfected and printed by the following vote:

AYES: 131

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

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Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 010

Bringer	Burnett	Darrough	George	Haywood
Hughes	Lowe 44	Skaggs	Stevenson	Talboy

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 019

Avery	Brown 50	Chappelle-Nadal	Corcoran	Donnelly
El-Amin	Harris 23	Johnson	Jones 117	Kasten
Kraus	Low 39	Marsh	Robinson	Salva
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

HB 1756, relating to counterfeiting, was taken up by Representative Walton.

On motion of Representative Walton, **HB 1756** was ordered perfected and printed.

HCS HB 1383, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative Franz assumed the Chair.

Representative Burnett requested a division of the question on **HCS HB 1383**.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 053

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	Frame	George	Grill
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Yaeger	Zimmerman		

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 021

Avery	Bruns	Chappelle-Nadal	Donnelly	El-Amin
Harris 23	Johnson	Kraus	Loehner	Low 39
Marsh	Meadows	Robinson	Rucker	Salva
Schneider	Spreng	Whorton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Cox, **Part I of HCS HB 1383** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 002

Oxford Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Chappelle-Nadal	Donnelly	El-Amin	Harris 23
Johnson	Kraus	Low 39	Marsh	Robinson
Rucker	Salva	Schneider	Spreng	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Hobbs	Iceet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Darrough	Daus
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meadows
Meiners	Norr	Oxford	Page	Quinn 9
Roorda	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Chappelle-Nadal	Cooper 120	Curls	Donnelly
Dougherty	El-Amin	Guest	Harris 23	Hunter
Johnson	Kraus	Low 39	Marsh	Nasheed
Robinson	Rucker	Salva	Schneider	Spreng
Swinger	Viebrock	Young	Zweifel	

VACANCIES: 002

On motion of Representative Cox, **Part II of HCS HB 1383** was adopted by the following vote:

AYES: 129

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Zimmerman	Mr Speaker	

NOES: 012

Burnett	Daus	George	Hughes	Kratky
Lowe 44	Oxford	Schoemehl	Talbo	Vogt
Walsh	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Chappelle-Nadal	Corcoran	Donnelly	Dougherty
El-Amin	Grisamore	Harris 23	Johnson	Kraus
Low 39	Marsh	Meadows	Robinson	Rucker
Salva	Spreng	Viebrock	Young	Zweifel

VACANCIES: 002

On motion of Representative Cox, **HCS HB 1383** was ordered perfected and printed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Zimmerman	Mr Speaker			

NOES: 006

Burnett	Daus	Oxford	Schoemehl	Talboy
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Chappelle-Nadal	Corcoran	Donnelly	Dougherty
El-Amin	Harris 23	Haywood	Hughes	Johnson
Kraus	Lembke	Low 39	Lowe 44	Marsh
Meadows	Meiners	Robinson	Rucker	Spreng
Walton	Young	Zweifel		

VACANCIES: 002

Speaker Jetton resumed the Chair.

HCS HB 2059, relating to the Teachers and School Districts Act, was taken up by Representative Wilson (130).

Representative Pearce resumed the Chair.

Representative Holsman requested a division of the question on **HCS HB 2059**.

Representative Pearce requested a parliamentary ruling.

The Parliamentary Committee denied the division of the question.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Lochner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 052

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Daus	Fallert
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Quinn 9	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 022

Avery	Baker 123	Bland	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Frame	Harris 23	Hobbs
Johnson	Kraus	Low 39	Marsh	Meiners
Page	Robinson	Rucker	Spreng	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wilson (130), **HCS HB 2059** was adopted by the following vote:

AYES: 081

Aull	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Shively	Smith 14	Smith 150
Stevenson	Stream	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 059

Baker 25	Bland	Bringer	Brown 30	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Silvey	Skaggs
St. Onge	Storch	Talboy	Todd	Villa

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Vogt	Walsh	Walton	Wells	Whorton
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 002

Cunningham 86	Fares
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ABSENT WITH LEAVE: 019

Avery	Baker 123	Chappelle-Nadal	Donnelly	El-Amin
Frame	Funderburk	Harris 23	Johnson	Kraus
Low 39	Marsh	Robinson	Rucker	Spreng
Sutherland	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wilson (130), **HCS HB 2059** was ordered perfected and printed by the following vote:

AYES: 079

Aull	Baker 123	Bivins	Brandom	Cooper 120
Cooper 155	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Shively	Smith 14	Smith 150	Stevenson
Stream	Swinger	Thomson	Threlkeld	Tilley
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 061

Baker 25	Bland	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Curls	Darrough
Daus	Dougherty	Fallert	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Silvey
Skaggs	St. Onge	Storch	Sutherland	Talboy
Todd	Villa	Vogt	Walsh	Walton

Wells Whorton Wildberger Witte Yaeger
Zimmerman

PRESENT: 002

Cunningham 86 Fares

ABSENT WITH LEAVE: 019

Avery Chappelle-Nadal Corcoran Donnelly El-Amin
Frame Funderburk Harris 23 Johnson Kraus
Low 39 Marsh Robinson Sater Spreng
Viebrock Wright-Jones Young Zweifel

VACANCIES: 002

HCS HBs 2062 & 1518, relating to military families, was taken up by Representative Pearce.

Representative McClanahan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 2062 & 1518, Section 6, Page 16, Line 4, by inserting after all of said line the following:

"Section 7. Each board or commission under subsection 15 of section 620.010, RSMo, shall have the authority to collect and analyze information required to support workforce planning and policy development."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McClanahan, **House Amendment No. 1** was adopted.

Representative Hobbs assumed the Chair.

Representative Roorda requested a division of the question on **HCS HBs 2062 & 1518, as amended**.

Speaker Pro Tem Pratt resumed the Chair.

The division of the question was denied by the Chair.

On motion of Representative Pearce, **HCS HBs 2062 & 1518, as amended**, was adopted.

On motion of Representative Pearce, **HCS HBs 2062 & 1518, as amended**, was ordered perfected and printed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Walsh	Walton
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	George	Johnson	Jones 89	Kraus
Liese	Low 39	Lowe 44	Marsh	Nasheed
Parkinson	Quinn 9	Richard	Robinson	Shively
Spreng	Todd	Vogt	Wallace	Wasson
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

HCS HB 2279, relating to utility regulation and scrap metal, was taken up by Representative Wright.

HCS HB 2279 was laid over.

HB 1851, relating to the minimum wage, was taken up by Representative Thomson.

Representative Hobbs resumed the Chair.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.505. 1. No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

2. Employees of an amusement or recreation business that meets the criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.

3. With the exception of employees described in subsection (2), the overtime requirements of subsection (1) shall not apply to employees who are exempt from federal minimum wage or overtime requirements [pursuant to 29 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour calculation formulas specified in 29 U.S.C. Section 207 and 213, and any regulations promulgated thereunder.**

4. **Except as may be otherwise provided under sections 290.500 to 290.530, this section shall be interpreted in accordance with the Fair Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any regulations promulgated thereunder.**

290.512. 1. No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages [is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **shall pay such employee a cash wage at a rate less than the cash wage amount specified in the Fair Labor Standards Act, 29 U.S.C. Section 203(m), for tipped employees. However, the total compensation for such tipped employee shall not be less than the minimum wage specified in section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500 to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda requested a division of the question on **House Amendment No. 1**.

Representative Hobbs requested a parliamentary ruling.

Speaker Pro Tem Pratt resumed the Chair.

The division of the question was denied by the Chair.

Representative Roorda again requested a division of the question on **House Amendment No. 1.**

House Amendment No. 1

PART I

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.505. 1. No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

2. Employees of an amusement or recreation business that meets the criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.

3. With the exception of employees described in subsection (2), the overtime requirements of subsection (1) shall not apply to employees who are exempt from federal minimum wage or overtime requirements [pursuant to 29 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour calculation formulas specified in 29 U.S.C. Section 207 and 213, and any regulations promulgated thereunder.**

4. **Except as may be otherwise provided under sections 290.500 to 290.530, this section shall be interpreted in accordance with the Fair Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any regulations promulgated thereunder."**

On motion of Representative Cooper (120), **Part I of House Amendment No. 1** was adopted by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	Franz	Hughes	Johnson	Kraus
Low 39	Marsh	Robinson	Spreng	Young
Zweifel				

VACANCIES: 002

House Amendment No. 1

PART II

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.512. 1. No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages [is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **shall pay such employee a cash wage at a rate less than the cash wage amount specified in the Fair Labor Standards Act, 29 U.S.C. Section 203(m), for tipped employees. However, the total compensation for such tipped employee shall not be less than the minimum wage specified in section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500 to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Funderburk

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Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Chappelle-Nadal	Donnelly	El-Amin	Frame
Franz	Johnson	Kraus	Low 39	Lowe 44
Marsh	Robinson	Salva	Spreng	Vogt
Young	Zweifel			

VACANCIES: 002

On motion of Representative Cooper (120), **Part II of House Amendment No. 1** was adopted by the following vote:

AYES: 076

Baker 123	Brandom	Brown 30	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Portwood

Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharmhorst	Schlottach	Schoeller	Self	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Wilson 130	Wood	Wright 159	Yates

NOES: 066

Aull	Baker 25	Bivins	Bland	Bringer
Brown 50	Bruns	Burnett	Casey	Corcoran
Curls	Darrough	Daus	Day	Dougherty
Fallert	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Nance
Nasheed	Nolte	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schneider	Schoemehl	Shively	Silvey	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Chappelle-Nadal	Donnelly	El-Amin	Frame
Franz	Hughes	Johnson	Kraus	Low 39
Lowe 44	Marsh	McGhee	Robinson	Salva
Spreng	Vogt	Young	Zweifel	

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater

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Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Corcoran	Darrough	Daus	Fallert
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bland	Chappelle-Nadal	Curls	Donnelly
El-Amin	Frame	Hunter	Johnson	Kraus
Low 39	Marsh	Robinson	Salva	Spreng
Vogt	Wright 159	Young	Zweifel	

VACANCIES: 002

On motion of Representative Thomson, **HB 1851, as amended**, was ordered perfected and printed by the following vote:

AYES: 095

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Wasson

Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 050

Aull	Baker 25	Baker 123	Bland	Bringer
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	George	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	Low 44	McClanahan	Meadows	Nolte
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Schieffer	Schoemehl	Shively	Silvey
Skaggs	Stevenson	Talboy	Todd	Walsh
Walton	Whorton	Wildberger	Wright-Jones	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Brown 50	Chappelle-Nadal	Donnelly	El-Amin
Frame	Johnson	Kratky	Kraus	Low 39
Marsh	Robinson	Spreng	Vogt	Young
Zweifel				

VACANCIES: 002

HB 2266, relating to the Missouri Teaching Fellows Program, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 2266** was ordered perfected and printed.

HCS HB 2114, relating to paper ballots at elections, was taken up by Representative Zimmerman.

Representative Sutherland assumed the Chair.

On motion of Representative Zimmerman, **HCS HB 2114** was adopted by the following vote:

AYES: 121

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Dixon	Dougherty	Ervin	Faith	Fallert
Fares	Fisher	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 89	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota

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Liese	Lipke	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Roorda	Rucker	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Zimmerman
Mr Speaker				

NOES: 018

Davis	Denison	Dethrow	Dusenberg	Emery
Franz	Hunter	Jones 117	Loehner	Muschany
Parson	Ruestman	Schad	Schlottach	Smith 14
Wasson	Wilson 130	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Baker 25	Brown 50	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Flook	Frame	George
Icet	Johnson	Kraus	Low 39	Marsh
Meadows	Quinn 9	Robinson	Spreng	Vogt
Young	Zweifel			

VACANCIES: 002

On motion of Representative Zimmerman, **HCS HB 2114** was ordered perfected and printed by the following vote:

AYES: 122

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dixon	Dougherty	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Jones 89
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Lowe 44	May	McClanahan	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page

Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 9	Richard	Robb	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Zimmerman	Mr Speaker			

NOES: 021

Davis	Denison	Dethrow	Dusenberg	Emery
Franz	Hunter	Jones 117	Loehner	McGhee
Muschany	Parson	Quinn 7	Ruestman	Schad
Schamhorst	Schlottach	Smith 14	Wasson	Wilson 130
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	Icet	Johnson	Kraus	Low 39
Marsh	Meadows	Robinson	Roorda	Spreng
Vogt	Young	Zweifel		

VACANCIES: 002

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

- HCS SB 841** - Fiscal Review (Fiscal Note)
- SS SCS SB 718** - Special Committee on Job Creation and Economic Development
- SCS SB 1139** - Judiciary

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SBs 818 & 795**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **SS SCS SB 931**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SB 748**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Education Reform, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 2404**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1954**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 885**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 907**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1038**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

MESSAGE FROM THE GOVERNOR

EXECUTIVE ORDER

April 22, 2008

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

On April 22, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014**.

Respectfully submitted,

/s/ Matt Blunt
Governor

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 23, 2008.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 23, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 24, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONSERVATION AND NATURAL RESOURCES

Thursday, April 24, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2460

ELECTIONS

Wednesday, April 23, 2008, 1:30 p.m. House Chamber south gallery.

Executive session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 23, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2136, HB 2121, HB 2481, HB 2482

FISCAL REVIEW

Thursday, April 24, 2008, 8:30 a.m. Hearing Room 1.

Any House bills or Senate bills that are presented to this committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, April 28, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports follow-up.

Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Wednesday, April 23, 2008, Hearing Room 6 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 1334

LOCAL GOVERNMENT

Wednesday, April 23, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2026, HB 1603, HB 2000,
HB 2245, HB 2544, SCS SB 765

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, April 23, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HCS SB 1288, HCS SCS SB 724,
HCS SCS SB 939, HCS SB 1140, HCS SB 925, HCS SB 863,
HCS HB 1599, HCS HB 2508, HCS HB 2330, HB 2365, HB 1673,
HB 2458, HCR 34, HCR 35

SPECIAL COMMITTEE ON HOMELAND SECURITY

Thursday, April 24, 2008, 8:15 a.m. Hearing Room 5.

Informational meeting.

Public hearing to be held on: HB 2455

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, April 23, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269

SPECIAL COMMITTEE ON IMMIGRATION

Thursday, April 24, 2008, 9:00 a.m. House Chamber side gallery.
Executive session will be held.

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 23, 2008, 8:30 a.m. Hearing Room 7.
Discussion on proposed House Committee Substitute for HB 2421.
Executive session may follow.

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Thursday, April 24, 2008, 8:30 a.m. House Chamber south gallery.
Executive session may follow.
Public hearing to be held on: SS SCS SB 718

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 5.
Executive session may follow. AMENDED.
Public hearings to be held on: HCR 20, HB 2555, SCR 40

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 1748, SCS SBs 1225 & 1226, SB 762

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 23, 2008, 9:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 2322, HB 2535

SPECIAL COMMITTEE ON UTILITIES

Wednesday, April 23, 2008, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SCS SB 720

WAYS AND MEANS

Thursday, April 24, 2008, 9:00 a.m. Hearing Room 3.
Executive session.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 23, 2008

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HCS#2 HB 1423 - St. Onge
- 6 HB 1957 - Hughes
- 7 HB 2144 - Whorton
- 8 HB 1535 - Deeken
- 9 HB 1517 - Cox
- 10 HCS HB 2112 - Emery
- 11 HB 1372 - McGhee
- 12 HCS HB 1590 - Munzlinger
- 13 HCS HB 1504 - Walton
- 14 HCS HB 2156 - Grill
- 15 HCS HB 2159 - Grill
- 16 HB 1562 - LeVota
- 17 HCS HB 2239 - Stevenson
- 18 HCS HB 1438 - Kelly
- 19 HCS HB 1704 - Wallace
- 20 HCS HB 1990 - Wilson (130)
- 21 HCS HB 2110 - Dixon
- 22 HB 2202 - Deeken
- 23 HB 2590 - Moore
- 24 HCS HB 1516 - Bruns
- 25 HCS HB 1723 - Franz
- 26 HCS HB 1745 - Robb
- 27 HB 1764 - Parson
- 28 HB 1871 - Deeken
- 29 HB 1934 - May
- 30 HCS HB 1974 - Schlottach
- 31 HCS HB 2034 - Munzlinger
- 32 HB 2078 - Hubbard
- 33 HB 2207 - Hoskins
- 34 HCS HB 2279 - Wright
- 35 HB 2514 - Weter
- 36 HCS HB 2260 - Storch

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2250, E.C. - Sutherland
- 3 HCS HB 1626 - Emery
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1813 - Dougherty
- 6 HCS HB 2060 - Deeken

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk

SENATE BILLS FOR THIRD READING - CONSENT

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng

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- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenberg
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee
- 27 SB 1061 - Cooper (120)
- 28 SB 1073 - Faith
- 29 HCS SCS SB 1131 - Curls
- 30 HCS SB 1135 - Curls
- 31 SCS SB 1150 - Lembke
- 32 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33 SCS SB 1168 - Scharnhorst
- 34 SB 1177 - Cooper (155)
- 35 SB 1187 - Pollock
- 36 SB 1190 - Wasson
- 37 SCS SB 1235 - Pratt

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Cooper (120)
- 9 SB 955 - Wildberger
- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox
- 16 HCS SB 841, (Fiscal Review 4-22-08) - St. Onge

BILLS IN CONFERENCE

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet