

# JOURNAL OF THE HOUSE

Second Regular Session, 97th GENERAL ASSEMBLY

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SIXTIETH DAY, WEDNESDAY, APRIL 30, 2014

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Joshua Peters.

*(Prayer of Saint Francis)*

Lord, make this House an instrument of Your peace;  
Where there is hatred, let us sow love;  
Where there is injury, let us pardon;  
Where there is error, let us bring truth;  
Where there is doubt, let us have faith;  
Where there is despair, let there be hope;  
Where there is darkness, let there be light;  
And where there is sadness, may we bring joy.  
Divine Master, grant that we may not so much seek;  
To be understood, as to understand;  
For it is in giving that we receive;  
It is in pardoning that we are pardoned;  
And it is in dying that we are born to eternal life.

And the House says, "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: GiGi Brinkmeier and Nora Rechtien.

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

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2635 through House Resolution No. 2697

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2163** - Fiscal Review

**COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 693**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**THIRD READING OF HOUSE BILLS**

**HB 1792**, relating to the conveyance of state property easements, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1792** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Bahr	Barnes
Bemskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Runions	Scharnhorst	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 002

Marshall Pogue

PRESENT: 000

ABSENT WITH LEAVE: 013

Austin	Cornejo	Curtis	Guernsey	Hampton
Hodges	Leara	Lynch	May	Rowland
Schatz	Smith	Wright		

VACANCIES: 003

Speaker Jones declared the bill passed.

### THIRD READING OF SENATE BILLS

**SCS SB 612**, relating to nonresident entertainer income taxes, was taken up by Representative Hoskins.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dugger
Dunn	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mims
Molendorp	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Runions	Scharnhorst	Schatz	Schieffer	Shumake
Smith	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wood	Wright	Zerr
Mr. Speaker				

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NOES: 018

Carpenter	Gardner	Kirkton	Marshall	McDonald
McNeil	Mitten	Montecillo	Moon	Newman
Norr	Pierson	Pogue	Schieber	Schupp
Walton Gray	Webber	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 010

Austin	Brattin	Burlison	Curtman	Hampton
Hodges	Justus	May	Rowland	Shull

VACANCIES: 003

**SB 812**, relating to a Department of Economic Development office in Israel, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **SB 812** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Burns	Butler	Carpenter
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin
Funderburk	Gannon	Gardner	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Kirkton	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Norr	Otto	Pace	Peters	Phillips
Pierson	Pike	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Runions	Schatz	Schieffer
Schupp	Shull	Shumake	Smith	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr. Speaker			

NOES: 016

Anderson	Brattin	Burlison	Curtman	Frederick
Gatschenberger	Hurst	Keeney	Koenig	Marshall
Moon	Nichols	Parkinson	Pogue	Rehder
Schieber				

PRESENT: 000

ABSENT WITH LEAVE: 011

Austin	Brown	Cierpiot	Engler	Grisamore
Hinson	Hodges	May	Pfautsch	Rowland
Scharnhorst				

VACANCIES: 003

Speaker Jones declared the bill passed.

**HCS SCS SB 808**, relating to the licensing of certain professions, was taken up by Representative Burlison.

Speaker Pro Tem Hoskins assumed the Chair.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 808, Page 14, Section 338.165, Line 40, by inserting immediately at the end of said line the following:

**"However, the medical staff protocol shall include a process whereby an exemption to the protocol for a patient may be granted for clinical efficacy should the patient's physician make such request. The medical staff protocol shall also include an appeals process to request a change in specific protocol based on medical evidence presented by a physician on staff.";** and

Further amend said page and section, Line 45, by deleting all of said line and inserting in lieu thereof the following:

**"7. Medication dispensed by a class A pharmacy located in a hospital to a hospital patient for use or administration";** and

Further amend said page and section, Line 48, by inserting immediately after said line the following:

**"8. Medication dispensed by a hospital to a hospital patient for use or administration outside of the hospital shall be labeled as provided by rules promulgated by the department of health and senior services and the board including, medication distributed for administration by or under the supervision of a health care practitioner at a hospital clinic or facility.";** and

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

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

On motion of Representative Burlison, **HCS SCS SB 808, as amended**, was adopted.

On motion of Representative Burlison, **HCS SCS SB 808, as amended**, was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Anderson	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Moon	Morgan
Morris	Muntzel	Neely	Neth	Norr
Pace	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr. Speaker	

NOES: 014

Dunn	Ellington	Gardner	Hummel	Mayfield
Mims	Montecillo	Newman	Nichols	Otto
Pierson	Pogue	Rizzo	Smith	

PRESENT: 002

English	Roorda
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ABSENT WITH LEAVE: 009

Austin	Bahr	Grisamore	Hodges	May
McDonald	Rowland	Scharnhorst	Torpey	

VACANCIES: 003

Speaker Pro Tem Hoskins declared the bill passed.

**SS SB 673**, relating to employment security, was taken up by Representative Barnes.

Representative Wilson moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Anderson	Barnes	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Ross	Rowden	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Marshall	McCann Beatty	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Austin	Bahr	Bernskoetter	Curtman	Engler
Gardner	Hodges	Kolkmeier	May	Mayfield
McDonald	McGaugh	Molendorp	Parkinson	Riddle
Rowland	Scharnhorst	Schatz	Stream	

VACANCIES: 003

On motion of Representative Barnes, **SS SB 673** was truly agreed to and finally passed by the following vote:

AYES: 101

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Scharnhorst	Schatz	Schieber	Shull
Shumake	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr. Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	McCaherty	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Solon	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Austin	Hodges	Kolkmeier	May	Mayfield
McDonald	McGaugh	Molendorp	Rowland	

VACANCIES: 003

Speaker Pro Tem Hoskins declared the bill passed.



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**SUPPLEMENTAL CALENDAR**

APRIL 30, 2014

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 2021 - Stream

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

**AFTERNOON SESSION**

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

**THIRD READING OF SENATE BILLS**

**HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624**, relating to elementary and secondary education, was taken up by Representative Stream.

**HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624** was laid over.

**SB 701**, relating to school superintendents, was taken up by Representative Thomson.

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

*House Amendment No. 1*

AMEND Senate Bill No. 701, Page 1, in the title, Lines 2 and 3, by deleting the words, "school superintendents" and inserting in lieu thereof the words, "elementary and secondary education"; and

Further amend said bill, Page 1, Section 168.205, Line 6, by inserting after all of said line the following:

**"Section 1. 1. Notwithstanding any provision of law to the contrary, no district shall be penalized for any reason under the Missouri school improvement program if students who graduate from the district complete career and technical education programs approved by the department of elementary and secondary education but are not placed in occupations directly related to their training within six months of graduating.**

**2. The department of elementary and secondary education shall revise its scoring guide under the Missouri school improvement program to provide additional points to districts that create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:**

**(1) Enroll in a program of career and technical education while in high school;**

**(2) Participate and complete an internship or apprenticeship during their final year of high school;**

**and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**3. Each school district shall be authorized to create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:**

- (1) Enroll in a program of career and technical education while in high school;**
- (2) Participate and complete an internship or apprenticeship during their final year of high school;**

**and**

**(3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.**

**4. The department of elementary and secondary education shall permit student scores, that are from a nationally recognized examination that demonstrates achievement of workplace employability skills, to count towards credit for college and career readiness standards on the Missouri school improvement program or any subsequent school accreditation or improvement program."; and**

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

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 701, Page 1, in the title, Lines 2 and 3, by deleting the words "school superintendents" and inserting in lieu thereof the following:

"elementary and secondary education"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

(1) "District" or "school district", when used alone, may include seven-director, urban, and metropolitan school districts;

(2) "Elementary school", a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) "Family literacy programs", services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

(a) Interactive literacy activities between parents and their children;

(b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;

(c) Parent literacy training that leads to high school completion and economic self sufficiency; and

(d) An age-appropriate education to prepare children of all ages for success in school;

(4) "Graduation rate", the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;

(5) "High school", a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

(6) "Metropolitan school district", any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

(7) "Public school" includes all elementary and high schools operated at public expense;

(8) "School board", the board of education having general control of the property and affairs of any school district;

(9) "School term", a minimum of one [hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district] **thousand eighty hours of actual pupil attendance**. A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment aligned with the student's career academic plan for a total of one thousand [forty-four] **eighty** hours;

(10) "Secretary", the secretary of the board of a school district;

(11) "Seven-director district", any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;

(12) "Taxpayer", any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;

(13) "Town", any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

(14) "Urban school district", any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.041. 1. [The "minimum school day" consists of three hours for schools with a five-day school week or four hours for schools with a four-day school week in which the pupils are under the guidance and direction of teachers in the teaching process. A "school month" consists of four weeks of five days each for schools with a five-day school week or four weeks of four days each for schools with a four-day school week.] The "school year" commences on the first day of July and ends on the thirtieth day of June following.

**2. Beginning with school year 2015-16, in any regular or summer school term scheduled for the month of June, July, or August, the school week shall be limited to no more than four days. In any summer school term, school days shall be scheduled so that no school day shall be scheduled during the calendar week of July fourth if the holiday falls on a business day; if the holiday falls on a weekend, school days shall be scheduled so that students shall have at least four days off in any configuration during the calendar week that includes a Saturday holiday or the calendar week that includes a Sunday holiday.**

[2.] 3. Notwithstanding the provisions of [subsection 1 of this section] **subdivision (9) of section 160.011**, the commissioner of education is authorized to reduce the required number of hours [and days] in which the pupils are under the guidance and direction of teachers in the teaching process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033 prevents students from attending the public school facility.

Such reduction shall not extend beyond two calendar years in duration.

163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one [hundred seventy-four days and one thousand forty-four hours] **thousand eighty hours** of actual pupil attendance in a term scheduled by the board pursuant to [section 160.041] **171.031** for each pupil or group of pupils, except that the board shall provide a minimum of [one hundred seventy-four days and five hundred twenty-two] **five hundred forty** hours of actual pupil attendance in a term for kindergarten pupils]. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all-day students or six hours for one-half-day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033];

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111 for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district; **and**

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed.

2. For the 2006-07 school year and thereafter, no school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an operating levy for school purposes, as determined pursuant to section 163.011, of not less than two dollars and seventy-five cents after all adjustments and reductions. Any district which is required, pursuant to Article X, Section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to Section 10(c) of Article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530 to allocate revenue to the professional development committee of the district.

5. No school district shall receive more state aid, as calculated in subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, if the district did not comply in the preceding school year with the requirements of subsection 6 of section 163.031.

6. Any school district that levies an operating levy for school purposes that is less than the performance levy, as such term is defined in section 163.011, shall provide written notice to the department of elementary and secondary education asserting that the district is providing an adequate education to the students of such district. If a school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed to be a result of insufficient local effort. The provisions of this subsection shall not apply to any special district established under sections 162.815 to 162.940.

163.073. 1. When an education program, as approved under section 219.056, is provided for pupils by the division of youth services in one of the facilities operated by the division for children who have been assigned there by the courts, the division of youth services shall be entitled to state aid for pupils being educated by the division of youth services in an amount to be determined as follows: the total amount apportioned to the division of youth services shall be an amount equal to the average per weighted average daily attendance amount apportioned for the preceding school year under section 163.031, multiplied by the number of full-time equivalent students served by facilities operated by the division of youth services. The number of full-time equivalent students shall be determined by dividing by one [hundred seventy-four days] **thousand eighty hours** the number of [student-days] **student-hours** of education service provided by the division of youth services to elementary and secondary students who have been assigned to the division by the courts and who have been determined as inappropriate for attendance in a local public

school. A student [day] **hour** shall mean one [day] **hour** of education services provided for one student. In addition, other provisions of law notwithstanding, the division of youth services shall be entitled to funds under section 163.087. The number of full-time equivalent students as defined in this section shall be considered as "September membership" and as "average daily attendance" for the apportioning of funds under section 163.087.

2. The educational program approved under section 219.056 as provided for pupils by the division of youth services shall qualify for funding for those services provided to handicapped or severely handicapped children. The department of elementary and secondary education shall cooperate with the division of youth services in arriving at an equitable funding for the services provided to handicapped children in the facilities operated by the division of youth services.

3. Each local school district or special school district constituting the domicile of a child placed in programs or facilities operated by the division of youth services or residing in another district pursuant to assignment by the division of youth services shall pay toward the per pupil cost of educational services provided by the serving district or agency an amount equal to the average sum produced per child by the local tax effort of that district. A special school district shall pay the average sum produced per child by the local tax efforts of the component districts. This amount paid by the local school district or the special school district shall be on the basis of full-time equivalence as determined in section 163.011, not to exceed the actual per pupil local tax effort."; and

Further amend said bill and page, Section 168.205, Line 6, by inserting after all of said line the following:

"171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date, **days of planned attendance**, and providing a minimum term of at least one [hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four] **thousand eighty** hours of actual pupil attendance. In addition, such calendar shall include [six make-up days] **thirty-six make-up hours** for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting **to be held on a separate date from a regularly scheduled board meeting** to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The [condition provided in this subsection must be satisfied by the] local school board **shall follow the procedure of this subsection** each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day [for schools with a five-day school week] shall be longer than seven hours except for vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county[, and any school that adopts a four-day school week in accordance with section 171.029].

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. A district shall be required to make up the first [six days] **thirty-six hours** of school lost or cancelled due to inclement weather and half the number of [days] **hours** lost or cancelled in excess of [six days] **thirty-six hours** if the makeup of the [days] **hours** is necessary to ensure that the district's students will attend a minimum of

one [hundred forty-two days and a minimum of one thousand forty-four] **thousand eighty** hours for the school year except as otherwise provided in this section. [Schools with a four-day school week may schedule such make-up days on Fridays.]

3. [In the 2008-09 school year a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

4.] In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up [days of] school lost or cancelled due to inclement weather in the school district when the school district has made up the [six days] **thirty-six hours** required under subsection 2 of this section and half the number of additional lost or cancelled [days] **hours** up to [eight days] **forty-eight hours**, resulting in no more than [ten] **sixty** total make-up [days] **hours** required by this section.

[5.] 4. The commissioner of education may provide, for any school district [in which schools are in session for twelve months of each calendar year] that cannot meet the minimum school calendar requirement of at least one [hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week and one thousand forty-four] **thousand eighty** hours of actual pupil attendance, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather[, flooding] or fire.

[171.029. 1. The school board of any school district in the state, upon adoption of a resolution by the vote of a majority of all its members to authorize such action, may establish a four-day school week or other calendar consisting of less than one hundred seventy-four days in lieu of a five-day school week. Upon adoption of a four-day school week or other calendar consisting of less than one hundred seventy-four days, the school shall file a calendar with the department of elementary and secondary education in accordance with section 171.031. Such calendar shall include, but not be limited to, a minimum term of one hundred forty-two days and one thousand forty-four hours of actual pupil attendance.

2. If a school district that attends less than one hundred seventy-four days meets at least two fewer performance standards on two successive annual performance reports than it met on its last annual performance report received prior to implementing a calendar year of less than one hundred seventy-four days, it shall be required to revert to a one hundred seventy-four-day school year in the school year following the report of the drop in the number of performance standards met. When the number of performance standards met reaches the earlier number, the district may return to the four-day week or other calendar consisting of less than one hundred seventy-four days in the next school year.]

Section B. The repeal of section 171.029 and the repeal and reenactment of sections 160.011, 160.041, 163.021, 163.073, 171.031, and 171.033 of this act shall become effective on July 1, 2015." ; and

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

Speaker Pro Tem Hoskins resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen

Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Austin	Brattin	Colona	Cox	Curtman
Fitzpatrick	Fitzwater	Hodges	Jones 50	Marshall
May	McManus	Molendorp	Riddle	Rowland

VACANCIES: 003

Representative Cookson moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Mitten:

AYES: 046

Barnes	Bernskoetter	Berry	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Curtis
Diehl	Engler	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Hampton	Hicks	Hoskins	Johnson	Jones 50
Justus	Koenig	Kolkmeyer	Lant	Leara
Love	Lynch	McCaherty	Moon	Neely
Pierson	Reiboldt	Richardson	Ross	Scharnhorst
Shull	Spencer	Stream	Swan	Wood
Mr. Speaker				

NOES: 104

Allen	Anders	Anderson	Bahr	Black
Brown	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Cross	Curtman	Davis
Dohrman	Dugger	Dunn	Ellington	Elmer
English	Englund	Entlicher	Flanigan	Fraker
Frame	Gannon	Gardner	Haefner	Hansen
Harris	Higdon	Hinson	Hough	Houghton
Hubbard	Hummel	Hurst	Keeney	Kelley 127
Kirkton	Korman	Kratky	LaFaver	Lair
Lauer	Lichtenegger	Marshall	Mayfield	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Riddle	Rizzo	Roorda	Rowden
Runions	Schatz	Schieber	Schieffer	Schupp
Shumake	Smith	Solon	Sommer	Swearingen
Thomson	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Austin	Brattin	Fitzpatrick	Fitzwater	Hodges
Kelly 45	May	Rowland	Torpey	

VACANCIES: 003

### Representative Diehl offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND Senate Bill No. 701, Page 1, in the title, Lines 2 through 3, by deleting the words "school superintendents" and inserting in lieu thereof the words "elementary and secondary education"; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"160.522. 1. The department of elementary and secondary education shall produce or cause to be produced, at least annually, a school accountability report card for each public school district, each public school building in a school district, and each charter school in the state. The report card shall be designed to satisfy state and federal requirements for the disclosure of statistics about students, staff, finances, academic achievement, and other indicators. The purpose of the report card shall be to provide educational statistics and accountability information for parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a standardized, easily accessible form.

2. The department of elementary and secondary education shall develop a standard form for the school accountability report card. The information reported shall include, but not be limited to, the district's most recent accreditation rating, enrollment, rates of pupil attendance, high school dropout rate and graduation rate, the number and rate of suspensions of ten days or longer and expulsions of pupils, the district ratio of students to administrators and students to classroom teachers, the average years of experience of professional staff and advanced degrees earned, student achievement as measured through the assessment system developed pursuant to section 160.518, student scores on the ACT, along with the percentage of graduates taking the test, average teachers' and



administrators' salaries compared to the state averages, average per pupil current expenditures for the district as a whole and by attendance center as reported to the department of elementary and secondary education, the adjusted tax rate of the district, assessed valuation of the district, percent of the district operating budget received from state, federal, and local sources, the percent of students eligible for free or reduced-price lunch, data on the percent of students continuing their education in postsecondary programs, information about the job placement rate for students who complete district vocational education programs, whether the school district currently has a state-approved gifted education program, and the percentage and number of students who are currently being served in the district's state-approved gifted education program.

3. The report card shall permit the disclosure of data on a school-by-school basis, but the reporting shall not be personally identifiable to any student or education professional in the state.

4. The report card shall identify each school or attendance center that has been identified as a priority school under sections 160.720 and 161.092. The report also shall identify attendance centers that have been categorized under federal law as needing improvement or requiring specific school improvement strategies.

5. The report card shall not limit or discourage other methods of public reporting and accountability by local school districts. Districts shall provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December first annually or as soon thereafter as the information is available to the district, giving preference to methods that incorporate the reporting into substantive official communications such as student report cards. The school district shall provide a printed copy of the district-level or school-level report card to any patron upon request and shall make reasonable efforts to supply businesses such as, but not limited to, real estate and employment firms with copies or other information about the reports so that parents and businesses from outside the district who may be contemplating relocation have access.

**6. For purposes of completing and distributing the annual report card as prescribed in this section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.";** and

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

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

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

*House Amendment No. 4*

AMEND Senate Bill No. 701, Page 1, in the title, Lines 2 and 3 by deleting the words, "school superintendents" and inserting in lieu thereof the words, "elementary and secondary education"; and

Further amend said bill, Page 1, Section 168.205, Line 6, by inserting after all of said section and line the following:

**"262.960. 1. This section shall be known and may be cited as the "Farm-to-School Act".**

**2. There is hereby created within the department of agriculture the "Farm-to-School Program" to connect Missouri farmers and schools in order to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department shall designate an employee to administer and monitor the farm-to-school program and to serve as liaison between Missouri farmers and schools.**

**3. The following agencies shall make staff available to the Missouri farm-to-school program for the purpose of providing professional consultation and staff support to assist the implementation of this section:**

- (1) The department of health and senior services;**
- (2) The department of elementary and secondary education; and**
- (3) The office of administration.**

4. The duties of the department employee coordinating the farm-to-school program shall include, but not be limited to:

(1) Establishing and maintaining a website database to allow farmers and schools to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;

(2) Providing leadership at the state level to encourage schools to procure and use locally grown agricultural products;

(3) Conducting workshops and training sessions and providing technical assistance to school food service directors, personnel, farmers, and produce distributors and processors regarding the farm-to-school program; and

(4) Seeking grants, private donations, or other funding sources to support the farm-to-school program.

262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.707, the following terms shall mean:

(1) "Locally grown agricultural products", food or fiber produced or processed by a small agribusiness or small farm;

(2) "Schools", includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;

(3) "Small agribusiness", as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

(4) "Small farm", a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

2. There is hereby created a taskforce under the AgriMissouri program established in section 261.230, which shall be known as the "Farm-to-School Taskforce". The taskforce shall be made up of at least one representative from each of the following agencies: the University of Missouri extension service, the department of agriculture, the department of elementary and secondary education, and the office of administration. In addition, the director of the department of agriculture shall appoint two persons actively engaged in the practice of small agribusiness. In addition, the director of the department of elementary and secondary education shall appoint two persons from schools within the state who direct a food service program. One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow schools to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of schools within the state to identify standardized language that could be included in such contracts to allow schools to more easily procure and use locally grown agricultural products.

5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each agency represented on the taskforce by no later than December 31, 2015.

6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

7. This section shall expire on December 31, 2015.

348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

5. **The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools within the state.**

6. The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

[6.] 7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

[7.] 8. Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

[8.] 9. The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

[9.] 10. The authority may provide for consulting services in the building of the physical facilities of the business.

[10.] 11. The authority may provide for consulting services in the operation of the business.

[11.] 12. The authority may provide for such services through employees of the state or by contracting with private entities.

[12.] 13. The authority may consider the following in making the decision:

(1) The applicant's commitment to the project through the applicant's risk;

(2) Community involvement and support;

(3) The phase the project is in on an annual basis;

(4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The [projects] **project's** planning for long-term success through feasibility studies, marketing plans and business plans.

[13.] 14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

[14.] 15. The authority may charge fees for the provision of any service pursuant to this section.

[15.] 16. The authority may adopt rules to implement the provisions of this section.

[16.] 17. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

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

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

On motion of Representative Thomson, **SB 701, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Flanigan	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfausch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr. Speaker		

NOES: 005

Ellington	Gardner	Marshall	Mims	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 011

Austin	Brattin	Colona	Diehl	Fitzwater
Hodges	Korman	May	Peters	Richardson
Rowland				

VACANCIES: 003

Speaker Pro Tem Hoskins declared the bill passed.

**HCS SCS SB 716**, relating to public health, was taken up by Representative Scharnhorst.

Representative Kelly (45) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student's parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] **have received the meningococcal conjugate vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334, indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.**

2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.

3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section].

[4.] **3.** Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease."; and

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

On motion of Representative Kelly (45), **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"191.331. 1. Every infant who is born in this state shall be tested for phenylketonuria and such other metabolic or genetic diseases as are prescribed by the department. The test used by the department shall be dictated by accepted medical practice and such tests shall be of the types approved by the department. All newborn screening tests required by the department shall be performed by the department of health and senior services laboratories. **Each birthing hospital or birth center in the state shall designate an employee to be responsible for the newborn screening program in that institution.** The attending physician, certified nurse midwife, public health facility, ambulatory surgical center or hospital shall assure that appropriate specimens are collected **and all information requested is provided on the newborn screening collection forms purchased from the department and submitted to [the department of health and senior services laboratories] the appropriate courier service pickup location as soon as the specimens are dry, which shall be a minimum of three hours from the time of collection, and no later than within twenty-four hours of collection in order to be transported to the department of health and senior services laboratory by the next scheduled courier pickup. If courier service is not available at the facility or at a location nearby, then first-class mail or other appropriate means can be utilized within the same time constraints for the sending of the specimens.**

2. Specimens shall be collected in accordance with instructions on the specimen collection form. The timing of specimen collection shall be determined by the conditions specified as follows:

(1) A specimen shall be taken from all infants before being discharged from the hospital or birthing facility regardless of age. A specimen collected between twenty-four and forty-eight hours of age is considered optimum for newborn screening. A second or repeat specimen shall be required within fourteen days of age if the initial specimen was collected before twenty-four hours of age;

(2) Initial specimens from ill or premature infants shall be collected before a blood transfusion or between twenty-four to forty-eight hours of age. All ill or premature infants shall have a repeat screen collected between seven to fourteen days of age;

(3) If an infant has been transferred from one hospital to another, the records shall clearly indicate if a specimen for newborn screening was collected and submitted. If no specimen was collected, the hospital the infant was transferred to shall collect a specimen and submit it within forty-eight hours of the transfer.

3. All physicians, certified nurse midwives, **certified professional midwives, lay midwives**, public health nurses and administrators of ambulatory surgical centers or hospitals shall report to the department all diagnosed cases of phenylketonuria and other metabolic or genetic diseases as designated by the department. **The health care provider caring for an infant with an abnormal high-risk test report from newborn screening shall report a definitive diagnosis within thirty days of the date of diagnosis for such infant to the appropriate newborn screening follow-up center as contracted by the department.** The department shall prescribe and furnish all necessary reporting forms.

[3.] 4. The department shall develop and institute educational programs concerning phenylketonuria and other metabolic and genetic diseases and assist parents, physicians, hospitals and public health nurses in the management and basic treatment of these diseases.

[4.] 5. The provisions of this section shall not apply if the parents of such child object to the tests or examinations provided in this section on the grounds that such tests or examinations conflict with their religious tenets and practices.

[5.] 6. As provided in subsection [4] 5 of this section, the parents of any child who fail to have such test or examination administered after notice of the requirement for such test or examination shall be required to document in writing such refusal. All physicians, certified nurse midwives, **certified professional midwives, lay midwives**, public health nurses and administrators of ambulatory surgical centers or hospitals shall provide to the parents or guardians a written packet of educational information developed and supplied by the department of health and senior services describing the type of specimen, how it is obtained, the nature of diseases being screened, and the consequences of treatment and nontreatment. The attending physician, certified nurse midwife, **certified professional midwife, lay midwife**, public health facility, ambulatory surgical center or hospital shall obtain the written refusal [and] , make such refusal part of the medical record of the infant, **and send a copy of the written objection to the department.**

[6.] 7. Notwithstanding the provisions of section 192.015 to the contrary, the department may, by rule, annually determine and impose a reasonable fee for each newborn screening test made in any of its laboratories. The department may collect the fee from any entity or individual described in subsection 1 of this section in a form and manner established by the department. Such fee shall be considered as a cost payable to such entity by a health care third-party payer, including, but not limited to, a health insurer operating pursuant to chapter 376, a domestic health services corporation or health maintenance organization operating pursuant to chapter 354, and a governmental or entitlement program operating pursuant to state law. Such fee shall not be considered as part of the internal laboratory costs of the persons and entities described in subsection 1 of this section by such health care third-party payers. No individual shall be denied screening because of inability to pay. Such fees shall be deposited in a separate account in the public health services fund created in section 192.900, and funds in such account shall be used for the support of the newborn screening program and activities related to the screening, diagnosis, and treatment, including special dietary products, of persons with metabolic and genetic diseases; and follow-up activities that ensure that diagnostic evaluation, treatment and management is available and accessible once an at-risk family is identified through initial screening; and for no other purpose. These programs may include education in these areas and the development of new programs related to these diseases.

[7.] 8. Subject to appropriations provided for formula for the treatment of inherited diseases of amino acids and organic acids, the department shall provide such formula to persons with inherited diseases of amino acids and organic acids subject to the conditions described in this subsection. State assistance pursuant to this subsection shall be available to an applicant only after the applicant has shown that the applicant has exhausted all benefits from third-party payers, including, but not limited to, health insurers, domestic health services corporations, health maintenance organizations, Medicare, Medicaid and other government assistance programs.

[8.] 9. Assistance under subsection [7] 8 of this section shall be provided to the following:

- (1) Applicants ages birth to five years old meeting the qualifications under subsection [7] 8 of this section;
- (2) Applicants between the ages of six to eighteen meeting the qualifications under subsection [7] 8 of this section and whose family income is below three hundred percent of the federal poverty level;
- (3) Applicants between the ages of six to eighteen meeting the qualifications under subsection [7] 8 of this section and whose family income is at three hundred percent of the federal poverty level or above. For these applicants, the department shall establish a sliding scale of fees and monthly premiums to be paid in order to receive assistance under subsection [7] 8 of this section; and
- (4) Applicants age nineteen and above meeting the qualifications under subsection [7] 8 of this section and who are eligible under an income-based means test established by the department to determine eligibility for the assistance under subsection [7] 8 of this section.

[9.] 10. The department shall have authority over the use, retention, and disposal of biological specimens and all related information collected in connection with newborn screening tests conducted under subsection 1 of this section. The use of such specimens and related information shall only be made for public health purposes and shall comply with all applicable provisions of federal law. The department may charge a reasonable fee for the use of such specimens for public health research and preparing and supplying specimens for research proposals approved by the department.

**11. If any person or entity has reason to believe that a physician, certified nurse midwife, certified professional midwife, lay midwife, public health facility, ambulatory surgical center, or hospital has violated a provision of this section, such person or entity shall file a complaint with the department. Upon receipt of such a complaint, the department shall conduct an investigation of the suspected physician, certified nurse midwife, certified professional midwife, lay midwife, public health facility, ambulatory surgical center, or hospital."; and**

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

On motion of Representative Solon, **House Amendment No. 2** was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said section and line the following:

**"191.990. 1. The MO HealthNet division and the department of health and senior services shall collaborate to coordinate goals and benchmarks in each agency's plans to reduce the incidence of diabetes in Missouri, improve diabetes care, and control complications associated with diabetes.**

**2. The MO HealthNet division and the department of health and senior services shall submit a report to the general assembly by January first of each odd-numbered year on the following:**

**(1) The prevalence and financial impact of diabetes of all types on the state of Missouri. Items in this assessment shall include an estimate of the number of people with diagnosed and undiagnosed diabetes, the number of individuals with diabetes impacted or covered by the agency programs addressing diabetes, the financial impact of diabetes, and its complications on Missouri based on the most recently published cost estimates for diabetes;**

**(2) An assessment of the benefits of implemented programs and activities aimed at controlling diabetes and preventing the disease;**

**(3) A description of the level of coordination existing between the agencies, their contracted partners, and other stakeholders on activities, programs, and messaging on managing, treating, or preventing all forms of diabetes and its complications;**

**(4) The development or revision of detailed action plans for battling diabetes with a range of actionable items for consideration by the general assembly. The plans shall identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications. The plan also shall identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing diabetes; and**

(5) The development of a detailed budget blueprint identifying needs, costs, and resources required to implement the plan identified in subdivision (4) of this subsection. This blueprint shall include a budget range for all options presented in the plan identified in subdivision (4) of this subsection for consideration by the general assembly.

3. The requirements of subsections 1 and 2 of this section shall be limited to diabetes information, data, initiatives, and programs within each agency prior to the effective date of this section, unless there is unobligated funding for diabetes in each agency that may be used for new research, data collection, reporting, or other requirements of subsections 1 and 2 of this section.

191.1140. 1. Subject to appropriations, the University of Missouri shall manage the "Show-Me Extension for Community Health Care Outcomes (ECHO) Program". The department of health and senior services shall collaborate with the University of Missouri in utilizing the program to expand the capacity to safely and effectively treat chronic, common, and complex diseases in rural and underserved areas of the state and to monitor outcomes of such treatment.

2. The program is designed to utilize current telehealth technology to disseminate knowledge of best practices for the treatment of chronic, common, and complex diseases from a multidisciplinary team of medical experts to local primary care providers who will deliver the treatment protocol to patients, which will alleviate the need of many patients to travel to see specialists and will allow patients to receive treatment more quickly.

3. The program shall utilize local community health care workers with knowledge of local social determinants as a force multiplier to obtain better patient compliance and improved health outcomes."; and

Further amend said bill, Page 2, Section 197.168, Line 9, by inserting after all of said section and line the following:

"208.662. 1. There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 CFR 457.1.

2. For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

3. Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child and that promote healthy labor, delivery, and birth. Coverage need not include services that are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child. However, the department may include pregnancy-related assistance as defined in 42 U.S.C. 1397II.

4. There shall be no waiting period before an unborn child may be enrolled in the show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10, coverage shall include the period from conception to birth. The department shall develop a presumptive eligibility procedure for enrolling an unborn child. There shall be verification of the pregnancy.

5. Coverage for the child shall continue for up to one year after birth, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations.

6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the pregnancy ends and extend through the last day of the month that includes the sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations. The department may include pregnancy-related assistance as defined in 42 U.S.C. 1397II.



7. The department shall provide coverage for an unborn child enrolled in the show-me healthy babies program in the same manner in which the department provides coverage for the children's health insurance program (CHIP) in the county of the primary residence of the mother.

8. The department shall provide information about the show-me healthy babies program to maternity homes as defined in section 135.600, pregnancy resource centers as defined in section 135.630, and other similar agencies and programs in the state that assist unborn children and their mothers. The department shall consider allowing such agencies and programs to assist in the enrollment of unborn children in the program, and in making determinations about presumptive eligibility and verification of the pregnancy.

9. Within sixty days after the effective date of this section, the department shall submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the show-me healthy babies program.

10. At least annually, the department shall prepare and submit a report to the governor, the speaker of the house of representatives, and the president pro tempore of the senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the show-me healthy babies program. The analysis and projection of cost savings and benefits, if any, may include but need not be limited to:

(1) The higher federal matching rate for having an unborn child enrolled in the show-me healthy babies program versus the lower federal matching rate for a pregnant woman being enrolled in MO HealthNet or other federal programs;

(2) The efficacy in providing services to unborn children through managed care organizations, group or individual health insurance providers or premium assistance, or through other nontraditional arrangements of providing health care;

(3) The change in the proportion of unborn children who receive care in the first trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility, or by removal of other barriers, and any resulting or projected decrease in health problems and other problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and during infancy and childhood;

(4) The change in healthy behaviors by pregnant women, such as the cessation of the use of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or projected short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing problems; breathing and respiratory problems; feeding and digestive problems; and other physical, mental, educational, and behavioral problems; and

(5) The change in infant and maternal mortality, pre-term births and low birth weight babies and any resulting or projected decrease in short-term and long-term medical and other interventions.

11. The show-me healthy babies program shall not be deemed an entitlement program, but instead shall be subject to a federal allotment or other federal appropriations and matching state appropriations.

12. Nothing in this section shall be construed as obligating the state to continue the show-me healthy babies program if the allotment or payments from the federal government end or are not sufficient for the program to operate, or if the general assembly does not appropriate funds for the program.

13. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said line the following:

"195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, **or an assistant physician in accordance with section 334.037** or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian's professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency."; and

Further amend said bill, Page 2, Section 197.168, Line 9, by inserting after all of said line the following:

"334.035. **Except as otherwise provided in section 334.036**, every applicant for a permanent license as a physician and surgeon shall provide the board with satisfactory evidence of having successfully completed such postgraduate training in hospitals or medical or osteopathic colleges as the board may prescribe by rule.

**334.036. 1. For purposes of this section, the following terms shall mean:**

(1) "Assistant physician", any medical school graduate who:

(a) Is a resident and citizen of the United States or is a legal resident alien;

(b) Has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college;

(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding two-year period unless when such two-year anniversary occurs he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and

(d) Has proficiency in the English language;

(2) "Assistant physician collaborative practice arrangement", an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;

(3) "Medical school graduate", any person who has graduated from a medical college or osteopathic medical college described in section 334.031.

2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.

(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:

(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

(b) No supervision requirements in addition to the minimum federal law shall be required.

3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms "doctor", "Dr.", or "doc". No assistant physician shall practice or attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period. Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to

independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017 when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

Section 1. 1. As used in this section, the following terms shall mean:

- (1) "Assistant physician", a person licensed to practice under section 334.036 in a collaborative practice arrangement under section 334.037;
- (2) "Department", the department of health and senior services;
- (3) "Medically underserved area":
  - (a) An area in this state with a medically underserved population;
  - (b) An area in this state designated by the United States secretary of health and human services as an area with a shortage of personal health services;

(c) A population group designated by the United States secretary of health and human services as having a shortage of personal health services;

(d) An area designated under state or federal law as a medically underserved community; or

(e) An area that the department considers to be medically underserved based on relevant demographic, geographic, and environmental factors;

(4) "Primary care", physician services in family practice, general practice, internal medicine, pediatrics, obstetrics, or gynecology;

(5) "Start-up money", a payment made by a county or municipality in this state which includes a medically underserved area for reasonable costs incurred for the establishment of a medical clinic, ancillary facilities for diagnosing and treating patients, and payment of physicians, assistant physicians, and any support staff.

2. (1) The department shall establish and administer a program under this section to increase the number of medical clinics in medically underserved areas. A county or municipality in this state that includes a medically underserved area may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having such contribution matched wholly or partly by grant moneys from the medical clinics in medically underserved areas fund established in subsection 3 of this section. The department shall seek all available moneys from any source whatsoever, including, but not limited to, moneys from the Missouri Foundation for Health to assist in funding the program.

(2) A participating county or municipality that includes a medically underserved area may provide start-up money for a medical clinic over a two-year period. The department shall not provide more than one hundred thousand dollars to such county or municipality in a fiscal year unless the department makes a specific finding of need in the medically underserved area.

(3) The department shall establish priorities so that the counties or municipalities which include the neediest medically underserved areas eligible for assistance under this section are assured the receipt of a grant.

3. (1) There is hereby created in the state treasury the "Medical Clinics in Medically Underserved Areas Fund", which shall consist of any state moneys appropriated, gifts, grants, donations, or any other contribution from any source for such purpose. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. To be eligible to receive a matching grant from the department, a county or municipality that includes a medically underserved area shall:

(1) Apply for the matching grant; and

(2) Provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician or physicians for the collaborating physician or physicians and assistant physician or assistant physicians in accordance with a collaborative practice arrangement under section 334.037 to provide primary care in the medically underserved area for at least two years.

5. The department shall promulgate rules necessary for the implementation of this section, including rules addressing:

(1) Eligibility criteria for a medically underserved area;

(2) A requirement that a medical clinic utilize an assistant physician in a collaborative practice arrangement under section 334.037;

(3) Minimum and maximum county or municipality contributions to the start-up money for a medical clinic to be matched with grant moneys from the state;

(4) Conditions under which grant moneys shall be repaid by a county or municipality for failure to comply with the requirements for receipt of such grant moneys;

- (5) Procedures for disbursement of grant moneys by the department;
- (6) The form and manner in which a county or municipality shall make its contribution to the start-up money; and
- (7) Requirements for the county or municipality to retain interest in any property, equipment, or durable goods for seven years including, but not limited to, the criteria for a county or municipality to be excused from such retention requirement."; and

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

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

Representative Jones (50) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting after all of said section and line the following:

"630.167. 1. Upon receipt of a report, the department or the department of health and senior services, if such facility or program is licensed pursuant to chapter 197, shall initiate an investigation within twenty-four hours. **The department, or the department of health and senior services if such facility or program is licensed under chapter 197, shall complete all investigations within sixty days, unless good cause for the failure to complete the investigation is documented.**

2. If the investigation indicates possible abuse or neglect of a patient, resident or client, the investigator shall refer the complaint together with the investigator's report to the department director for appropriate action. If, during the investigation or at its completion, the department has reasonable cause to believe that immediate removal from a facility not operated or funded by the department is necessary to protect the residents from abuse or neglect, the department or the local prosecuting attorney may, or the attorney general upon request of the department shall, file a petition for temporary care and protection of the residents in a circuit court of competent jurisdiction. The circuit court in which the petition is filed shall have equitable jurisdiction to issue an ex parte order granting the department authority for the temporary care and protection of the resident for a period not to exceed thirty days.

3. (1) Except as otherwise provided in this section, reports referred to in section 630.165 and the investigative reports referred to in this section shall be confidential, shall not be deemed a public record, and shall not be subject to the provisions of section 109.180 or chapter 610. Investigative reports pertaining to abuse and neglect shall remain confidential until a final report is complete, subject to the conditions contained in this section. Final reports of substantiated abuse or neglect issued on or after August 28, 2007, are open and shall be available for release in accordance with chapter 610. The names and all other identifying information in such final substantiated reports, including diagnosis and treatment information about the patient, resident, or client who is the subject of such report, shall be confidential and may only be released to the patient, resident, or client who has not been adjudged incapacitated under chapter 475, the custodial parent or guardian parent, or other guardian of the patient, resident or client. The names and other descriptive information of the complainant, witnesses, or other persons for whom findings are not made against in the final substantiated report shall be confidential and not deemed a public record. Final reports of unsubstantiated allegations of abuse and neglect shall remain closed records and shall only be released to the parents or other guardian of the patient, resident, or client who is the subject of such report, patient, resident, or client and the department vendor, provider, agent, or facility where the patient, resident, or client was receiving department services at the time of the unsubstantiated allegations of abuse and neglect, but the names and any other descriptive information of the complainant or any other person mentioned in the reports shall not be disclosed unless such complainant or person specifically consents to such disclosure. Requests for final reports of substantiated or unsubstantiated abuse or neglect from a patient, resident or client who has not been adjudged incapacitated under chapter 475 may be denied or withheld if the director of the department or his or her designee determines that such release would jeopardize the person's therapeutic care, treatment, habilitation, or rehabilitation, or the safety of others and provided that the reasons for such denial or withholding are submitted in writing to the patient, resident or client who has not been adjudged incapacitated under chapter 475. All reports referred to in this section shall be admissible in any judicial proceedings or hearing in accordance with section 621.075 or any administrative hearing before the director of the department of mental health, or the director's designee. All such

reports may be disclosed by the department of mental health to law enforcement officers and public health officers, but only to the extent necessary to carry out the responsibilities of their offices, and to the department of social services, and the department of health and senior services, and to boards appointed pursuant to sections 205.968 to 205.990 that are providing services to the patient, resident or client as necessary to report or have investigated abuse, neglect, or rights violations of patients, residents or clients provided that all such law enforcement officers, public health officers, department of social services' officers, department of health and senior services' officers, and boards shall be obligated to keep such information confidential.

(2) Except as otherwise provided in this section, the proceedings, findings, deliberations, reports and minutes of committees of health care professionals as defined in section 537.035 or mental health professionals as defined in section 632.005 who have the responsibility to evaluate, maintain, or monitor the quality and utilization of mental health services are privileged and shall not be subject to the discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible into evidence into any judicial or administrative action for failure to provide adequate or appropriate care. Such committees may exist, either within department facilities or its agents, contractors, or vendors, as applicable. Except as otherwise provided in this section, no person who was in attendance at any investigation or committee proceeding shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding or to disclose any opinion, recommendation or evaluation of the committee or board or any member thereof; provided, however, that information otherwise discoverable or admissible from original sources is not to be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before any committee or in the course of any investigation, nor is any member, employee or agent of such committee or other person appearing before it to be prevented from testifying as to matters within their personal knowledge and in accordance with the other provisions of this section, but such witness cannot be questioned about the testimony or other proceedings before any investigation or before any committee.

(3) Nothing in this section shall limit authority otherwise provided by law of a health care licensing board of the state of Missouri to obtain information by subpoena or other authorized process from investigation committees or to require disclosure of otherwise confidential information relating to matters and investigations within the jurisdiction of such health care licensing boards; provided, however, that such information, once obtained by such board and associated persons, shall be governed in accordance with the provisions of this subsection.

(4) Nothing in this section shall limit authority otherwise provided by law in subdivisions (5) and (6) of subsection 2 of section 630.140 concerning access to records by the entity or agency authorized to implement a system to protect and advocate the rights of persons with developmental disabilities under the provisions of 42 U.S.C. Sections 15042 to 15044 and the entity or agency authorized to implement a system to protect and advocate the rights of persons with mental illness under the provisions of 42 U.S.C. 10801. In addition, nothing in this section shall serve to negate assurances that have been given by the governor of Missouri to the U.S. Administration on Developmental Disabilities, Office of Human Development Services, Department of Health and Human Services concerning access to records by the agency designated as the protection and advocacy system for the state of Missouri. However, such information, once obtained by such entity or agency, shall be governed in accordance with the provisions of this subsection.

4. [Anyone] **Any person** who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from the report shall be immune from any civil liability for making such a report or for testifying unless such person acted in bad faith or with malicious purpose.

5. (1) Within five working days after a report required to be made pursuant to this section is received, the person making the report shall be notified in writing of its receipt and of the initiation of the investigation.

(2) **For investigations alleging neglect of a patient, resident, or client, the guardian or family of such patient, resident, or client shall be:**

(a) **Interviewed during the investigation;**

(b) **Within five working days of the completion of the investigation and decision of the department or the department of health and senior services:**

a. **Notified of the result of the investigation and decision of the department or the department of health and senior services; and**

b. **If the report is found to be unsubstantiated and no person will be placed on the disqualification registry, notified of the guardian's or family's right to appeal the department or the department of health and senior services' decision.**



6. No person who directs or exercises any authority in a residential facility, day program or specialized service shall evict, harass, dismiss or retaliate against a patient, resident or client or employee because he or she or any member of his or her family has made a report of any violation or suspected violation of laws, ordinances or regulations applying to the facility which he or she has reasonable cause to believe has been committed or has occurred.

7. Any person who is discharged as a result of an administrative substantiation of allegations contained in a report of abuse or neglect may, after exhausting administrative remedies as provided in chapter 36, appeal such decision to the circuit court of the county in which such person resides within ninety days of such final administrative decision. The court may accept an appeal up to twenty-four months after the party filing the appeal received notice of the department's determination, upon a showing that:

- (1) Good cause exists for the untimely commencement of the request for the review;
- (2) If the opportunity to appeal is not granted it will adversely affect the party's opportunity for employment; and
- (3) There is no other adequate remedy at law.

**Section 1. 1. The department of mental health shall develop guidelines for the screening and assessment of persons receiving services from the department or its contracted, licensed, certified, or funded providers that address the interaction between physical and mental health to ensure that all potential causes of changes in behavior or mental status caused by or associated with a medical condition are assessed. Such guidelines shall be issued by the department to its contracted, licensed, certified, and funded providers.**

**2. The department of mental health shall develop training that addresses appropriate assessment of behavior or mental status changes in persons receiving services from the department or its contracted, licensed, certified, or funded providers. Such training shall be made available by the department to its contracted, licensed, certified, or funded providers.**

**3. The provisions of this section shall not apply to long-term care facilities licensed under chapter 198 or hospitals licensed under chapter 197."; and**

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

On motion of Representative Jones (50), **House Amendment No. 5** was adopted.

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting after all of said section and line the following:

"338.010. 1. The "practice of pharmacy" means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria, tetanus, pertussis**, and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria, tetanus, pertussis**, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and

he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

**12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:**

**(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);**

**(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;**

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

- (1) The identity of the patient;
- (2) The identity of the vaccine or vaccines administered;
- (3) The route of administration;
- (4) The anatomic site of the administration;
- (5) The dose administered; and
- (6) The date of administration."; and

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

Representative Schupp offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No 1*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Line 1, by inserting at the end of said line the following:

"Page 1, Section 191.761, Line 15, by inserting immediately at the end of said line the following:

**"192.075. 1. As used in this section, the following terms mean:**

(1) "Department", the department of health and senior services;

(2) "Inspected facility", any private or public institution, facility or agency, whether organized for profit or not, used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventative care to any person or persons that is inspected by the department of health and senior services.

2. All employees and volunteers of any inspected facility shall be required to receive an influenza vaccination each year, to be administered within three months prior to flu season, as defined by the Centers for Disease Control and Prevention. Nothing in this section shall be construed as requiring the department to provide or pay for such influenza vaccinations. All employees and volunteers shall provide proof of receiving an influenza vaccination each year to the inspected facility in which they are employed or volunteer.

3. An exemption for the influenza vaccination requirement under this section may be granted for medical contraindications, religious beliefs, or in the case of a vaccine shortage. Employees or volunteers requesting exemption due to medical contraindications must provide proof of medical contraindications such as a letter from a physician or medical records. Employees or volunteers requesting exemption due to religious beliefs must provide a written and signed request stating the reason for exemption. If any employee or volunteer is unable to receive an influenza vaccination due to a shortage of influenza vaccines, the employee or volunteer shall provide written documentation of his or her failure to obtain a vaccination for this reason.

4. All documentation relating to proof of an employee or volunteer receiving an influenza vaccination or receiving an exemption thereof shall be kept in the personnel file of the employee or volunteer.

5. Any inspected facility shall be deemed not in compliance with the provisions of this section if, upon inspection by the department, less than ninety-five percent of the inspected personnel files of the facility contain proof of influenza vaccination or proper exemption documentation. Any inspected facility not in compliance with the provisions of this section shall be reinspected at an undisclosed time within three months of the initial inspection. If at the time of reinspection the inspected facility is again deemed not in compliance with the provisions of this section, the inspected facility will be charged a fine to be calculated as fifty dollars per full-time employee of the facility.

6. The provisions of this section shall automatically sunset six years after the effective date of this section, unless reauthorized by an act of the general assembly.

7. The department shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void."; and

Further amend said bill,"; and

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

Representative Engler raised a point of order that **House Amendment No. 1 to House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharmhorst	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
McCann Beatty	McDonald	McKenna	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Conway 10	Cornejo	Dugger	Funderburk
Grisamore	Hinson	Hodges	Hough	May
Mayfield	McManus	Reiboldt	Rowden	Schatz
Wright				

VACANCIES: 003

Representative Schupp moved that **House Amendment No. 1 to House Amendment No. 6** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Engler:

AYES: 042

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	English	Englund
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webber	Wright			

NOES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 10	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Ellington	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
Messenger	Miller	Mims	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Cornejo	Elmer	Grisamore	Hinson
Hodges	Hough	May	Rowden	

VACANCIES: 003

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

a. Requests health records to be delivered electronically in a format of the health care provider's choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

6. A health care provider may furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the patient's health care decision maker after the patient's death. A health care provider may also furnish a copy of a deceased patient's medical records or payment records or specific information contained in medical records or payment records to the personal representative or administrator of the estate of a deceased patient, or if a personal representative or administrator has not been appointed, to the following persons:

(1) The deceased patient's spouse on the affidavit of the surviving spouse that he or she is the surviving spouse;

(2) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;

(3) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;

(4) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;

(5) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;

(6) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or

(7) A guardian ad litem of a decedent's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the decedent."; and

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

Representative Marshall offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1*

*to*

*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Line 37, by inserting after "**decedent.**" on said line the following:

**"(8) Providers who assert liens on patient claims waive any claim of sovereign immunity related to actions associated with said liens."**; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Burlison	Conway 104	Cookson
Crawford	Curtman	Davis	Diehl	Dohrman
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hoskins	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger

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Miller	Moon	Morris	Muntzel	Neely
Neth	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Walker	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Brown	Cierpiot	Cornejo	Cox
Cross	Dugger	Ellington	Elmer	Grisamore
Hampton	Hinson	Hodges	Hough	May
McManus	Molendorp	Parkinson	Peters	Pierson
Stream	Torpey			

VACANCIES: 003

On motion of Representative Marshall, **House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Engler	Entlicher	Fitzpatrick
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads



Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Brown	Conway 10	Cornejo	Curtman
Dugger	Elmer	Fitzwater	Flanigan	Grisamore
Guernsey	Hinson	Hodges	Hough	May
Parkinson	Reiboldt	Smith		

VACANCIES: 003

On motion of Representative Haahr, **House Amendment No. 7, as amended**, was adopted.

Representative Jones (50) offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting immediately after said line the following:

"376.1363. 1. A health carrier shall maintain written procedures for making utilization review decisions and for notifying enrollees and providers acting on behalf of enrollees of its decisions. For purposes of this section, "enrollee" includes the representative of an enrollee.

2. For initial determinations, a health carrier shall make the determination within [two working days] **twenty-four hours** of obtaining all necessary information regarding a proposed admission, procedure or service requiring a review determination. For purposes of this section, "necessary information" includes the results of any face-to-face clinical evaluation or second opinion that may be required:

(1) In the case of a determination to certify an admission, procedure or service, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the initial certification, and provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within two working days of making the initial certification;

(2) In the case of an adverse determination, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the adverse determination; and shall provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within one working day of making the adverse determination.

3. For concurrent review determinations, a health carrier shall make the determination within one working day of obtaining all necessary information:

(1) In the case of a determination to certify an extended stay or additional services, the carrier shall notify by telephone or electronically the provider rendering the service within one working day of making the certification, and provide written or electronic confirmation to the enrollee and the provider within one working day after telephone or electronic notification. The written notification shall include the number of extended days or next review date, the new total number of days or services approved, and the date of admission or initiation of services;

(2) In the case of an adverse determination, the carrier shall notify by telephone or electronically the provider rendering the service within twenty-four hours of making the adverse determination, and provide written or electronic notification to the enrollee and the provider within one working day of a telephone or electronic notification. The service shall be continued without liability to the enrollee until the enrollee has been notified of the determination.

4. For retrospective review determinations, a health carrier shall make the determination within thirty working days of receiving all necessary information. A carrier shall provide notice in writing of the carrier's determination to an enrollee within ten working days of making the determination.

5. A written notification of an adverse determination shall include the principal reason or reasons for the determination, the instructions for initiating an appeal or reconsideration of the determination, and the instructions for requesting a written statement of the clinical rationale, including the clinical review criteria used to make the determination. A health carrier shall provide the clinical rationale in writing for an adverse determination, including the clinical review criteria used to make that determination, to any party who received notice of the adverse determination and who requests such information.

6. A health carrier shall have written procedures to address the failure or inability of a provider or an enrollee to provide all necessary information for review. In cases where the provider or an enrollee will not release necessary information, the health carrier may deny certification of an admission, procedure or service."; and

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

Representative McCaherty offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1  
to  
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Line 11, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 197.168, Line 9, by inserting immediately after said line the following:

"376.1363. 1. A health carrier shall maintain written procedures for making utilization review decisions and for notifying enrollees and providers acting on behalf of enrollees of its decisions. For purposes of this section, "enrollee" includes the representative of an enrollee.

2. For initial determinations, a health carrier shall make the determination within [two working days] **thirty-six hours, which shall include one working day**, of obtaining all necessary information regarding a proposed admission, procedure or service requiring a review determination. For purposes of this section, "necessary information" includes the results of any face-to-face clinical evaluation or second opinion that may be required:

(1) In the case of a determination to certify an admission, procedure or service, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the initial certification, and provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within two working days of making the initial certification;

(2) In the case of an adverse determination, the carrier shall notify the provider rendering the service by telephone or electronically within twenty-four hours of making the adverse determination; and shall provide written or electronic confirmation of a telephone or electronic notification to the enrollee and the provider within one working day of making the adverse determination.

3. For concurrent review determinations, a health carrier shall make the determination within one working day of obtaining all necessary information:

(1) In the case of a determination to certify an extended stay or additional services, the carrier shall notify by telephone or electronically the provider rendering the service within one working day of making the certification, and provide written or electronic confirmation to the enrollee and the provider within one working day after telephone or electronic notification. The written notification shall include the number of extended days or next review date, the new total number of days or services approved, and the date of admission or initiation of services;

(2) In the case of an adverse determination, the carrier shall notify by telephone or electronically the provider rendering the service within twenty-four hours of making the adverse determination, and provide written or electronic notification to the enrollee and the provider within one working day of a telephone or electronic notification. The service shall be continued without liability to the enrollee until the enrollee has been notified of the determination.

4. For retrospective review determinations, a health carrier shall make the determination within thirty working days of receiving all necessary information. A carrier shall provide notice in writing of the carrier's determination to an enrollee within ten working days of making the determination.

5. A written notification of an adverse determination shall include the principal reason or reasons for the determination, the instructions for initiating an appeal or reconsideration of the determination, and the instructions for requesting a written statement of the clinical rationale, including the clinical review criteria used to make the determination. A health carrier shall provide the clinical rationale in writing for an adverse determination, including the clinical review criteria used to make that determination, to any party who received notice of the adverse determination and who requests such information.

6. A health carrier shall have written procedures to address the failure or inability of a provider or an enrollee to provide all necessary information for review. In cases where the provider or an enrollee will not release necessary information, the health carrier may deny certification of an admission, procedure or service."; and"; and

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

On motion of Representative McCaherty, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Jones (50), **House Amendment No. 8, as amended**, was adopted.

Representative Bahr offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section 191.761, Line 15, by inserting after all of said section and line the following:

**"192.380. 1. For purposes of this section, the following terms shall mean:**

(1) **"Department", the department of health and senior services;**  
(2) **"High-risk pregnancy", a pregnancy in which the mother or baby is at increased risk for poor health or complications during pregnancy or childbirth;**

(3) **"Maternity center", a comprehensive maternal and newborn service provided by a hospital or birth center for women who have been assessed as having a normal, low-risk pregnancy and having a baby which has been assessed as developing normally and without apparent complications;**

(4) **"Perinatal center", a comprehensive maternal and newborn service for women who have been assessed as high-risk patients or are bearing high-risk babies, as determined by a standardized risk assessment tool, who will require the highest level of specialized care. Such programs may also provide services to women requiring care normally provided at Level I and II programs.**

2. **There is hereby created the "Perinatal Advisory Council" which shall be composed of representatives from the following organizations to be appointed by the governor with the advice and consent of the senate:**

- (1) One representative from the American Congress of Obstetricians and Gynecologists;
  - (2) One representative from the American Academy of Pediatrics;
  - (3) One representative from the March of Dimes;
  - (4) One representative from the National Association for Nurse Practitioners in Women's Health;
  - (5) One representative from the American College of Nurse-Midwives;
  - (6) One representative from the Association of Women's Health, Obstetric and Neonatal Nurses;
  - (7) One representative from the National Association of Neonatal Nurses;
  - (8) One representative from the Missouri Academy of Family Physicians;
  - (9) Two community-based providers who focus on infant mortality prevention, such as community-based maternal/child health coalitions and regional consortiums;
  - (10) Three representatives from Missouri hospitals with one representative from a hospital with perinatal care equivalent to each of the three levels;
  - (11) One representative from the Society for Maternal-Fetal Medicine; and
  - (12) One private practice physician specializing in obstetrics or gynecology.
3. After seeking broad public and stakeholder input, the perinatal advisory council shall make recommendations for the division of the state into neonatal and maternal care regions. The perinatal advisory council shall establish guidelines for all levels of hospital perinatal care including regional perinatal centers. Such guidelines shall recommend that:
- (1) Facilities are equipped and prepared to stabilize neonates prior to transport;
  - (2) Coordination exists between general maternity care and perinatal centers;
  - (3) Unexpected complications during delivery can be properly managed;
  - (4) High-risk pregnancies, labors, deliveries, and childbirths are reviewed at each hospital or maternity center in collaboration with the community provider using criteria of case selection developed by such hospitals or maternity centers or the appropriate medical staff thereof in order to determine appropriateness of diagnosis and treatment;
  - (5) Procedures are implemented to confidentially identify and report to the department all high-risk birth outcomes;
  - (6) A high-risk pregnancy or baby identified as having a condition that threatens the child's or mother's life are promptly evaluated in consultation with designated regional perinatal centers and referred, if appropriate, to such centers or to other medical specialty services in accordance with the level of perinatal care authorized for each hospital or maternity care center for the proper management and treatment of such condition;
  - (7) Hospital or maternity care centers in collaboration with community providers conduct postnatal reviews of all maternal and infant deaths, utilizing criteria of case selection developed by such hospitals or maternity centers or the appropriate medical staff thereof in order to determine the appropriateness of diagnosis and treatment and the adequacy of procedures to prevent such loss of life;
  - (8) High-risk mothers are provided information, referral, and counseling services to ensure informed consent to the treatment of the child;
  - (9) Consultation when indicated is provided for and available. Perinatal centers shall provide care for the high-risk expectant mother who may deliver a high-risk infant. Such centers shall also provide intensive care to the high-risk newborn or mother whose life or physical well-being may be in jeopardy;
  - (10) The perinatal care system is monitored and performance evaluated;
  - (11) Any reporting required to facilitate implementation of this section shall minimize duplication;
- and
- (12) Guidelines of care are established for premature infants born less than thirty-seven weeks gestational age, including recommendations to improve hospital discharge and follow-up care procedures.
4. The guidelines under this section shall be based upon evidence and best practices as outlined by the most current version of the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American Congress of Obstetricians and Gynecologists, any guidelines developed by the Society for Maternal-Fetal Medicine, and the geographic and varied needs of citizens of this state.
5. No individual or organization providing information to the department or the perinatal advisory council in accordance with this section shall be deemed to be or be held liable, either civilly or criminally, for divulging confidential information unless such individual or organization acted in bad faith or with malicious purpose.

6. The guidelines under this section shall be established by rules and regulations of the department no later than January 1, 2016. Such guidelines shall be deemed sufficient for the purposes of this section if they recommend the perinatal care facilities to submit plans or enter into agreements with the department that adequately address the requirements of subsection 3 of this section."; and

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

On motion of Representative Bahr, **House Amendment No. 9** was adopted.

Representative Walton Gray offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 1, Section A, Line 2, by inserting after all of said line the following:

"191.117. 1. There is hereby established in the department of health and senior services a "Sickle Cell Standing Committee" as a subcommittee of the Missouri genetic advisory committee. The committee shall consist of the following members:

(1) One member who is a licensed physician with experience in the diagnosis and treatment of sickle cell disease and who shall serve as chair of the committee;

(2) One member who has sickle cell disease or is a family member of persons with sickle cell disease;

(3) One member with expertise in sickle cell disease research;

(4) One member from a leading sickle cell disease organization;

(5) One member with expertise in minority health; and

(6) One member from each of the hemoglobinopathy centers which contracts with the department.

2. The members of the committee shall be appointed by the director of the department of health and senior services. Members shall serve on the committee without compensation or reimbursement for expenses incurred.

3. The committee shall:

(1) Assess the impact of sickle cell disease on urban communities in the state of Missouri;

(2) Examine the existing services and resources addressing the needs of persons with sickle cell disease; and

(3) Develop recommendations to provide educational services to schools on the traits of sickle cell disease and their effects.

4. The committee shall include an examination of the following in its assessment and recommendations required to be completed under subsection 3 of this section:

(1) Trends in state sickle cell disease populations and their needs, including but not limited to the state's role in providing assistance;

(2) Existing services and resources;

(3) Needed state policies or responses, including but not limited to directions for the provision of clear and coordinated services and supports to persons living with sickle cell disease and strategies to address any identified gaps in services; and

(4) Replacing the genetic testing and counseling program eliminated due to lack of funding. The program was an hour-long workshop provided to schools on the traits of sickle cell disease and the effects of such traits.

5. The committee shall hold a minimum of one meeting at three urban regions in the state of Missouri to seek public input.

6. The committee shall submit a report of its findings and any recommendations to the general assembly and the governor no later than December 31, 2015.

7. After December 31, 2015, the committee shall continue to meet at the request of the chair and at a minimum of one time annually for the purpose of continuing the study of sickle cell disease in this state, the impact of the committee recommendations, and to provide an annual supplemental report on the findings to the governor and the general assembly."; and

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

On motion of Representative Walton Gray, **House Amendment No. 10** was adopted.

Representative Frederick offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 716, Page 2, Section 197.168, Line 9, by inserting after all of said line the following:

"334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

- (1) "Applicant", any individual who seeks to become licensed as a physician assistant;
  - (2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;
  - (3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;
  - (4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;
  - (5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;
  - (6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;
  - (7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;
  - (8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.
2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than fifty miles by road

using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

- (1) Taking patient histories;
- (2) Performing physical examinations of a patient;
- (3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;
- (4) Performing routine therapeutic procedures;
- (5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;
- (6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;
- (7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;
- (8) Assisting in surgery;
- (9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and
- (10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

- (1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;
- (2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;
- (3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;
- (4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;
- (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and
- (6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; **except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet provider while acting under a supervision agreement between the physician and physician assistant.**

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section

334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197."; and

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

On motion of Representative Frederick, **House Amendment No. 11** was adopted.

On motion of Representative Scharnhorst, **HCS SCS SB 716, as amended**, was adopted.



On motion of Representative Scharnhorst, **HCS SCS SB 716, as amended**, was read the third time and passed by the following vote:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Butler	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Scharnhorst
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wieland
Wilson	Wood	Wright	Zerr	Mr. Speaker

NOES: 025

Burns	Carpenter	Colona	Dunn	Gardner
Hummel	Kirkton	LaFaver	Marshall	Mayfield
McDonald	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pogue	Roorda	Schieber	Schupp	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Brattin	Cierpiot	Ellington	Grisamore
Hodges	May	Schatz	Smith	

VACANCIES: 003

Speaker Pro Tem Hoskins declared the bill passed.

**HCS SCS SB 672**, relating to political subdivisions, was taken up by Representative Jones (50).

Representative Jones (50) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 3, Section 37.020, Lines 75 through 77, by deleting all of said lines; and

Further amend said bill, Page 6, Section 56.265, Lines 27 through 28, by deleting the words, "**subdivisions (2) or (3)**" and inserting in lieu thereof the words, "**subdivision (1) or (2)**"; and

Further amend said bill and section, Page 7, Line 45, by deleting all of said line and inserting in lieu thereof the following:

"compensated pursuant to subdivision (1) **or (2)** of subsection 1 of this section."; and

Further amend said bill, Section 56.363, Page 8, Line 37, by deleting the number "4" and inserting in lieu thereof the number, "5"; and

Further amend said bill, page, and section, Line 64, by deleting the number "4" and inserting in lieu thereof the number, "5"; and

Further amend said bill, page, and section, Line 68, by deleting the number "4" and inserting in lieu thereof the number, "5"; and

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

On motion of Representative Jones (50), **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22, Section 135.980, Line 13, by inserting after all of said section and line the following:

"160.522. 1. The department of elementary and secondary education shall produce or cause to be produced, at least annually, a school accountability report card for each public school district, each public school building in a school district, and each charter school in the state. The report card shall be designed to satisfy state and federal requirements for the disclosure of statistics about students, staff, finances, academic achievement, and other indicators. The purpose of the report card shall be to provide educational statistics and accountability information for parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a standardized, easily accessible form.

2. The department of elementary and secondary education shall develop a standard form for the school accountability report card. The information reported shall include, but not be limited to, the district's most recent accreditation rating, enrollment, rates of pupil attendance, high school dropout rate and graduation rate, the number and rate of suspensions of ten days or longer and expulsions of pupils, the district ratio of students to administrators and students to classroom teachers, the average years of experience of professional staff and advanced degrees earned, student achievement as measured through the assessment system developed pursuant to section 160.518, student scores on the ACT, along with the percentage of graduates taking the test, average teachers' and administrators' salaries compared to the state averages, average per pupil current expenditures for the district as a whole and by attendance center as reported to the department of elementary and secondary education, the adjusted

tax rate of the district, assessed valuation of the district, percent of the district operating budget received from state, federal, and local sources, the percent of students eligible for free or reduced-price lunch, data on the percent of students continuing their education in postsecondary programs, information about the job placement rate for students who complete district vocational education programs, whether the school district currently has a state-approved gifted education program, and the percentage and number of students who are currently being served in the district's state-approved gifted education program.

3. The report card shall permit the disclosure of data on a school-by-school basis, but the reporting shall not be personally identifiable to any student or education professional in the state.

4. The report card shall identify each school or attendance center that has been identified as a priority school under sections 160.720 and 161.092. The report also shall identify attendance centers that have been categorized under federal law as needing improvement or requiring specific school improvement strategies.

5. The report card shall not limit or discourage other methods of public reporting and accountability by local school districts. Districts shall provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December first annually or as soon thereafter as the information is available to the district, giving preference to methods that incorporate the reporting into substantive official communications such as student report cards. The school district shall provide a printed copy of the district-level or school-level report card to any patron upon request and shall make reasonable efforts to supply businesses such as, but not limited to, real estate and employment firms with copies or other information about the reports so that parents and businesses from outside the district who may be contemplating relocation have access.

**6. For purposes of completing and distributing the annual report card as prescribed in this section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.";** and

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

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Jones (50) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 3, Section 37.020, Lines 75 through 77, by deleting all of said lines and inserting in lieu thereof the following:

**"5. The office of administration may issue guidance or promulgate rules to require documentation to verify compliance as well as periodic reporting to ensure continued compliance with the provisions of subsection 4 of this section through the term of the contract.";** and

Further amend said bill, Page 15, Section 67.281, Lines 11 through 12, by deleting all of said lines and inserting in lieu thereof the following:

"two-family dwelling or townhouse. The provisions of this section shall expire on December 31, [2019] **2024**."; and

Further amend said bill, Pages 19 to 21, Sections 105.687, 105.688 and 105.690, by removing all of said sections from the bill; and

Further amend said bill, Page 21, Section 135.980, Lines 1 through 13, by deleting all of said lines and inserting in lieu thereof the following:

**"135.980. 1. As used in this section, the following terms shall mean:**

**(1) "NAICS", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;**

**(2) "Public financial incentive", any economic or financial incentive offered including:**

**(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other tax-relieving measure;**

**(b) Any tax increment financing or similar financial arrangement;**

**(c) Any monetary or non-monetary benefit related to any bond, loan, or similar financial arrangement;**

**(d) Any reduction, credit, forgiveness, abatement, subsidy, or other relief related to any bond, loan, or similar financial arrangement; and**

**(e) The ability to form, own, direct, or receive any economic or financial benefit from any special taxation district.**

**2. No city not within a county shall by ballot measure impose any restriction on any public financial incentive authorized by statute for a business with a NAICS code of 221112.";** and

Further amend said bill, Page 32, Section 578.120, Line 6 by deleting all of said line and inserting in lieu thereof the following:

**"the sale of motorcycles or all-terrain vehicles as those terms are defined in section 301.010; the sale of recreational";** and

Further amend said bill and section, Page 33, Line 16, by inserting after all of said line and section the following:

**"[300.320. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division.]";** and

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

On motion of Representative Jones (50), **House Amendment No. 3** was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22, Section 135.980, Line 13, by inserting after all of said line the following:

**"177.011. 1. The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. **With the exception of lease agreements entered into under the provisions of section 177.088,** no board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.**

**2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005.**

177.088. 1. As used in this section, the following terms shall mean:

(1) "Board", the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) "Educational institution", any school district, including all community college districts, and any state college or university organized under chapter 174.

2. The board of any educational institution may enter into agreements as authorized in this section [with a not-for-profit corporation formed under the general not-for-profit corporation law of Missouri, chapter 355,] in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease [from the corporation] sites, buildings, facilities, furnishings and equipment [which the corporation has] acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, [to the corporation] any existing sites [owned by the educational institution], together with any existing buildings and facilities thereon, in order [for the corporation] to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and [then] lease back or purchase such sites, buildings and facilities [from the corporation]; provided that upon selling or leasing the sites, buildings or facilities, [the corporation agrees to enter into a lease for] **any lease back to the educational institution is not more than one year [but] in length, and** with not more than twenty-five successive options by the educational institution to renew the lease under the same conditions; and provided further that [the corporation agrees] **there is an agreement** to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued [by the corporation] to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property [to a not-for-profit corporation] pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned [to the corporation].

5. The board may make rental payments [to the corporation] under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued [by a corporation] to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued [by a corporation] shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations [of the corporation] and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned [by a corporation] in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements [with the corporation] necessary or convenient in connection with any project pursuant to this section. [The corporation shall comply with sections 290.210 to 290.340.]

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. [Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011 for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11.] Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031 beginning in the year following the transfer of title to the district, as determined by the department of elementary and secondary education. No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031 as a result of the transfer of title.

[12.] 11. Notwithstanding provisions of this section to the contrary, the board of education of any school district may enter into agreements with the county in which the school district is located, or with a city, town, or village wholly or partially located within the boundaries of the school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease-purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting immediately after said line the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the westernmost freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

**(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants shall extend north from the city limits along U.S. Highway 63 for eight miles, and shall extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.**

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting after all of said line the following:

**"249.424. 1. If approved by a majority of the voters voting on the proposal, and upon the adoption of a resolution by a majority of the sewer district's board of trustees, any sewer district established and organized under this chapter, may levy and impose annually a fee not to exceed thirty-six dollars per year within its boundaries for the repair of lateral sewer service lines on or connecting residential property having six or fewer dwelling units, except that the fee shall not be imposed on property in the sewer district that is located within any city, town, village, or unincorporated area of a county that already imposes a fee under section 249.422. Any sewer district that establishes or increases the fee used to repair any portion of the lateral sewer service line shall include all defective portions of the lateral sewer service line from the residential structure to its connection with the public sewer system line. Notwithstanding any provision of chapter 448, the fee imposed pursuant to this chapter shall be imposed upon condominiums that have six or fewer condominium units per building and each condominium unit shall be responsible for its proportionate share of any fee charged pursuant to this chapter, and in addition, any condominium unit shall, if determined to be responsible for and served by its own individual lateral sewer line, be treated as an individual residence regardless of the number of units in the development. It shall be the responsibility of the condominium owner or condominium association to notify the sewer district that they are not properly classified as provided in this section.**

**2. The question shall be submitted to the registered voters who reside within the boundaries of the sewer district, excluding any voters who live within the boundaries of any city, town, village, or unincorporated area of a county that already imposes a fee under section 249.422. The question shall be submitted in substantially the following form:**

**Shall a maximum charge not to exceed thirty-six dollars be assessed annually on residential property for each lateral sewer service line serving six or fewer dwelling units on that property and condominiums that have six or fewer condominium units per building and any condominium responsible for its own individual lateral sewer line to provide funds to pay the cost of certain repairs of those lateral sewer service lines which may be billed quarterly or annually?**

YES

NO

**3. If a majority of the voters voting thereon approve the proposal provided for in subsection 2 of this section, any sewer district established and organized under this chapter may, upon the adoption of a resolution by a majority of the sewer district's board of trustees, collect and administer such fee in order to protect the public health, welfare, peace, and safety. The funds collected shall be deposited in a special account to be used solely for the purpose of paying for all or a portion of the costs reasonably associated with and necessary to administer and carry out the defective lateral sewer service line repairs. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.**

**4. The collector in any county containing a sewer district that adopts a resolution under this section to collect a fee for the repair of lateral sewer service lines may add such fee to the general tax levy bills of property owners within the boundaries of the sewer district, excluding property located in any city, town, village, or unincorporated area of the county that already imposes a fee under section 249.422. All revenues received on such combined bill for the purpose of providing for the repair of lateral sewer service lines shall be separated from all other revenues so collected and credited to the special account established by the sewer district under subsection 3 of this section.**



5. If a city, town, village, or county, which is within the sewer district and imposed a fee under section 249.422, later rescinds such fee after voters authorized the fee provided under this section, the sewer district may submit the question provided under subsection 2 of this section to the registered voters of such city, town, village, or county that have property within the boundaries of the sewer district. If a majority of voters voting on the proposal approve, the sewer district may levy and impose the fee as provided under this section on property within such city, town, village, or county."; and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting after all of said section and line the following:

**"262.960. 1. This section shall be known and may be cited as the "Farm-to-School Act".**

**2. There is hereby created within the department of agriculture the "Farm-to-School Program" to connect Missouri farmers and schools in order to provide schools with locally grown agricultural products for inclusion in school meals and snacks and to strengthen local farming economies. The department shall designate an employee to administer and monitor the farm-to-school program and to serve as liaison between Missouri farmers and schools.**

**3. The following agencies shall make staff available to the Missouri farm-to-school program for the purpose of providing professional consultation and staff support to assist the implementation of this section:**

- (1) The department of health and senior services;**
- (2) The department of elementary and secondary education; and**
- (3) The office of administration.**

**4. The duties of the department employee coordinating the farm-to-school program shall include, but not be limited to:**

**(1) Establishing and maintaining a website database to allow farmers and schools to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;**

**(2) Providing leadership at the state level to encourage schools to procure and use locally grown agricultural products;**

**(3) Conducting workshops and training sessions and providing technical assistance to school food service directors, personnel, farmers, and produce distributors and processors regarding the farm-to-school program; and**

**(4) Seeking grants, private donations, or other funding sources to support the farm-to-school program.**

**262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.707, the following terms shall mean:**

**(1) "Locally grown agricultural products", food or fiber produced or processed by a small agribusiness or small farm;**

**(2) "Schools", includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;**

**(3) "Small agribusiness", as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;**

**(4) "Small farm", a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.**

2. There is hereby created a taskforce under the AgriMissouri program established in section 261.230, which shall be known as the "Farm-to-School Taskforce". The taskforce shall be made up of at least one representative from each of the following agencies: the University of Missouri extension service, the department of agriculture, the department of elementary and secondary education, and the office of administration. In addition, the director of the department of agriculture shall appoint two persons actively engaged in the practice of small agribusiness. In addition, the director of the department of elementary and secondary education shall appoint two persons from schools within the state who direct a food service program. One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow schools to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow schools to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of schools within the state to identify standardized language that could be included in such contracts to allow schools to more easily procure and use locally grown agricultural products.

5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each agency represented on the taskforce by no later than December 31, 2015.

6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

7. This section shall expire on December 31, 2015.

348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

5. **The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in schools within the state.**

6. The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

[6.] 7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

[7.] 8. Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

[8.] 9. The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

[9.] 10. The authority may provide for consulting services in the building of the physical facilities of the business.

[10.] 11. The authority may provide for consulting services in the operation of the business.

[11.] 12. The authority may provide for such services through employees of the state or by contracting with private entities.

[12.] 13. The authority may consider the following in making the decision:

- (1) The applicant's commitment to the project through the applicant's risk;
- (2) Community involvement and support;
- (3) The phase the project is in on an annual basis;
- (4) The leaders and consultants chosen to direct the project;
- (5) The amount needed for the project to achieve the bankable stage; and
- (6) The [projects] **project's** planning for long-term success through feasibility studies, marketing plans and business plans.

[13.] 14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

[14.] 15. The authority may charge fees for the provision of any service pursuant to this section.

[15.] 16. The authority may adopt rules to implement the provisions of this section.

[16.] 17. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

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

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

Representative Dohrman offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 22, Section 135.980, Line 13, by inserting immediately after said line the following:

"182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

- (a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;
- (b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;
- (c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;
- (d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;
- (e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;
- (f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;
- (g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

**(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants.**

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

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

On motion of Representative Dohrman, **House Amendment No. 8** was adopted.

Representative Remole offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 1, in the title, Line 5, by inserting the following at the end of said line:

"and sections 1 to 21 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120, sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 and 132, and sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135,"; and

Further amend said bill and page, Section A, Line 4, by inserting after "RSMo," the following:

"sections 1 to 21 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 116 to 120,"; and

Further amend said bill, Page 33, Section 578.120, Line 16, by inserting after all of said line the following:

"[Section 1. In pursuance of a notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county, Missouri, that a bill will be presented to the thirty third general assembly of the state of Missouri, asking that two terms of the Randolph county circuit court be held at the city of Moberly, in said county, with like jurisdiction in all civil and criminal cases arising in said county or removed to the same by change of venue from any other county and like concurrent jurisdiction with, and appellate jurisdiction from, and like superintending control over the probate court, county court, municipal corporation courts, justices of the peace and all inferior tribunals in said county, and like power and jurisdiction over all persons, subjects, matters and things as is or may be provided by law in reference to circuit courts in this state, and for the repeal of "an act to establish a court of common pleas, and define the jurisdiction thereof in the city of Moberly, Randolph county, Missouri," approved February 26, 1875, and all acts amendatory thereof. It is hereby provided that the judge of the Randolph county circuit court shall hold two terms of the circuit court each year in the city of Moberly in the county of Randolph, at the following times, to wit: on the first Monday in February and the third Monday in September.]

[Sec. 2. The judge of the circuit court in Randolph county shall select a suitable place for holding said court at the city of Moberly, and for the various offices herein provided for, and the place so selected by the said judge for the holding the said courts shall be known and designated as the court house at the city of Moberly; and cause the same and said offices to be furnished in a proper manner for said court and its officers and report the rental, cost and expense thereof to the county court of Randolph county, which shall pay the same as other claims against said county are paid out of the county treasury, and the judge of said court may change the place of holding said court in said city of Moberly when he deems it advisable, to some other place in said city.]

[Sec 3. Said court shall have and exercise like powers and jurisdiction in all civil and criminal causes and proceedings whatsoever arising in said county or removed to the same by change of venue from any other county, and like concurrent jurisdiction with, and appellate jurisdiction from, and like superintending control over the county courts, probate courts, municipal corporation courts, justices of the peace, and all inferior tribunals in said county; and like powers, control and jurisdiction over all persons, corporations, subjects, matters and things as is or may be provided by law with reference to circuit courts in this state.]

[Sec. 4. The circuit clerk of Randolph county shall be clerk of said court and shall attend the same in person or by deputy, and shall perform such duties as may be required of him by law, for which he shall receive the same fees as are provided by law for similar services in like courts.]

[Sec. 5. The clerk of said court shall procure and keep a seal to be used as the seal of said court. He shall also keep an office at the said city of Moberly and shall appoint a deputy, resident of said city of Moberly, for whose acts he shall be responsible, and who shall in his absence have the care and management of all books and papers pertaining to said court, and exercise the powers and perform all the duties of the office in the absence of his principal.]

[Sec. 6. The sheriff of Randolph county shall attend said court in person or by deputy, and perform such duties as shall be required of him by law. He shall also keep an office at said city of Moberly and shall appoint a deputy, resident of said city, who shall keep said office and have the care and management of the same, and exercise the powers and perform all the duties of sheriff of said county in the absence of his principal, for whose acts said principal shall be responsible.]

[Sec. 7. The books, stationery, furniture, fuel, light, rent and other incidental expenses necessary for said court and offices shall be from time to time supplied and paid for out of the county treasury.]

[Sec. 8. All general laws now in force or which may hereafter be enacted, regulating and governing courts of record, and all laws defining the practice and proceedings in such courts, are declared to be in force and effect in the court hereby established.]

[Sec. 9. All causes taken by change of venue from any other county to the circuit court of Randolph county may be transferred and certified into the circuit court either at the city of Huntsville or at the city of Moberly, in said county, unless one of said courts be designated in the order of removal, in which case said cause shall be certified into the court so designated in the order granting the change of venue.]

[Sec. 10. The parties to any suit or proceeding pending in the circuit court of Randolph county may, by agreement, in writing, signed by the said parties or their counsel and filed therein, remove the same from the city of Moberly to the city of Huntsville, or from the city of Huntsville to the city of Moberly, or the judge of the circuit court of said Randolph county, upon the application of either party, and upon reasonable notice to the adverse party may, for good cause shown by affidavit or otherwise, remove any cause as aforesaid from the circuit court at Moberly to the circuit court at Huntsville, or from the circuit court at Huntsville to the circuit court at Moberly; and in such case the judge of said court may order the original papers transferred without the cost of copying the same, and the cause so transferred and removed shall be proceeded with in every respect as in changes of venue from one county to another.]

[Sec. 11. All judgments, orders and decrees of said court shall be a lien upon real estate to the same extent, and shall have like force and effect in every part of said county as similar judgments, orders, decrees and process of the circuit court of said Randolph county held at the city of Huntsville, and all real estate taken in execution by the sheriff of Randolph county under judgments rendered by the said circuit court at the said city of Moberly on all real estate situated in said county, and sold in pursuance of the judgment, order or decree thereof, shall be exposed to sale at the door of the court house at the city of Moberly, in the same time and manner as is or may be regulated by law.]

[Sec. 12. All mechanics' liens upon real estate situate in Randolph county, and all papers, notices and process necessary to be filed or taken in the circuit court to obtain, maintain and complete a lien of any kind authorized by law, upon real estate situate in said county, or upon any personal property, debts, credits, bonds, notes, assets or effects whatsoever may be filed and taken in the circuit court at the city of Moberly with like force and effect as if the same had been filed and taken in the circuit court at Huntsville, in said county. And all suits and process for the enforcement thereof shall be brought in the court where filed.]

[Sec. 13. All appeals from the county court, probate court, municipal corporation courts, justices of the peace and all inferior tribunals in said county of Randolph, may be granted and certified into the circuit court at the city of Moberly, or the circuit court at the city of Huntsville, in said county, as the one place or the other shall, in the opinion of the judge or justice granting the appeal, be most convenient to the parties, unless the parties to the cause, either by themselves or their attorneys, shall, in writing, filed in said cause, agree as to the appellate court, in which event the appeal shall be certified into the one of said courts so agreed upon in the manner provided by law.]

[Sec. 14. The secretary of state shall, after the passage of this act, forward to the clerk of said court, from time to time, all statutes, reports and other books required by law to be furnished to courts of record, for the use of said circuit court of the city of Moberly.]

[Sec. 15. The dockets now required by law to be kept by the clerk of the circuit court at the city of Huntsville, of all judgments rendered there, and notices and liens of every kind filed there shall include and contain all judgments, notices and liens rendered by and filed in the circuit court at the city of Moberly, and he shall also keep similar dockets at his office at the city of Moberly, which shall also include and contain all judgments rendered by and notices filed in the circuit court at the city of Huntsville.]

[Sec. 16. An act entitled, "an act to establish a court of common pleas, and define the jurisdiction thereof, in the city of Moberly, Randolph county, Missouri," approved February 26th, 1875, and all acts amendatory thereof, are hereby repealed. All the records, books, papers and furniture pertaining to the said court of common pleas are hereby transferred into the said circuit court at Moberly, together with all suits, process and business of every kind pending therein, which shall be proceeded with and determined by the said circuit court in the same manner, and with like effect, as if the same had been begun in said circuit court; and the clerk of said circuit court shall have the custody and control of all the books, records, papers, furniture, and other effects appertaining to the said court of common pleas, which are or may be transferred to the said circuit court, and be responsible therefor, and perform such duties in relation thereto as he is required by law to perform in regard to similar things appertaining to his own office, and he shall, when required, make and certify copies, transcripts and exemplifications of such books, papers

and records, which said copies, transcripts and exemplifications shall have the same force and effect as if said act had not been repealed and the same had been made by the clerk of said court of common pleas, and the said circuit court shall have the same power and control over the books, papers and records so transferred, including the power to alter or amend the same in cases allowed by law as it has or may have over its own books, papers and records.]

[Sec. 17. All mechanics' liens and other liens of every kind filed in said court of common pleas, and all judgments, orders and decrees of the said court of common pleas remaining unsatisfied, unperformed or unexecuted shall be enforced by the said circuit court to be held at the said city of Moberly, in the said manner as if the same had been filed, rendered or made therein; the said circuit court shall complete the unfinished process of said court of common pleas. The lien of all such process, judgments and decrees shall continue as if the law establishing said court of common pleas, and the acts amendatory thereof, were still in force, and may be revived by the said circuit court, in the manner provided by law for reviving the lien of judgments and decrees of circuit courts in this state; and the clerk of said circuit court may, whenever required, issue execution upon any such judgment or decree in any case authorized by law.]

[Sec. 18. All cases which may have been taken by appeal or writ of error from said court of common pleas to the supreme court, upon the decision of said supreme court remanding the same, shall be remanded to the said circuit court to be held at the city of Moberly, and be therein proceeded with as if the same had been taken from that court, and if any party to any action or proceeding in said court of common pleas shall, after the passage of this act, desire to sue out a writ of error therein, said writ shall be directed to the said circuit court held at the said city of Moberly and be returnable by the clerk thereof.]

[Sec. 19. All writs, rules, process and orders issued or made by the said court of common pleas and returnable to any term of said court, which would be held after the day that this act takes effect if the said court continued in existence, and which shall not have been returned before that day, shall be valid and shall be returned to the said circuit court at the city of Moberly at such time as they would respectively have been returnable in said court, and the said circuit court at Moberly may enforce the return thereof.]

[Sec. 20. All writs and other process of every kind issued from the said court of common pleas, being and remaining unexecuted in the hands of the sheriff of Randolph county, or any other county, shall be proceeded with and executed according to law, and shall be returned to the first term of said circuit court at Moberly, after the taking effect of this act, and all sales of real estate advertised to be made by said sheriff, and not made before the taking effect of this act, shall be made at the first term of the said circuit court at the city of Moberly, to be held after this act takes effect, and the said sheriff shall execute deeds for the same, acknowledge the same before the said circuit court as provided by law. In all cases where sales of real estate have been made upon execution issued from the said court of common pleas, and the deeds therefor have not been executed, the same shall be executed according to law, and the acknowledgment taken and certified before the said circuit court at the city of Moberly.]

[Sec. 21. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable, by reason of the special circumstances of said county, creates an emergency in the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]

Section B. Sections 1 to 11 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 131 and 132 are repealed as follows:

[Section 1. In pursuance of notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county that a bill will be presented to the thirty-third general assembly of the state of Missouri, asking that four terms of the county court of said Randolph county be authorized and required to be held at the city of Moberly in said county, with like power and jurisdiction co-extensive with said county as pertains to similar courts of record in this state, and for the establishment of a place of holding said court, and a county court clerk's office at the city of Moberly, in said county, and a deputy clerk of said court to reside in said city of Moberly and be in charge of said office. It is hereby provided that the judges of the county court of Randolph county, in addition to the terms of the county court of said county, required by law to be held at the city of Huntsville, in said county, be and they are hereby authorized,

empowered and required to hold four terms annually of said county court of Randolph county, at the city of Moberly, in said county, commencing on the second Mondays in February, May, August and November, and may hold special and adjourned terms of said county court at said city of Moberly at any time required, with like power and jurisdiction in all respects co-extensive with said Randolph county as pertains to county courts in this state.]

[Sec. 2. The judges of the county court of Randolph county shall select a suitable place for holding said court at the city of Moberly, and also an office for the clerk of said court at said city of Moberly, which, when so selected, shall be known and designated as the county court room and the county clerk's office at the city of Moberly, and cause the same to be furnished in a proper manner for said county court and said county clerk, the rental cost and expense of which shall be paid as other claims against said county are paid out of the county treasury.]

[Sec. 3. The county clerk of Randolph county shall be clerk of said county court at Moberly, and shall attend the same in person or by deputy, and shall perform such duties as may be required of him by law, for which he shall receive the same fees as are provided by law for similar services in county courts in this state, and in addition thereto he shall be paid out of the county treasury three hundred dollars per annum, in quarterly installments, to enable him to furnish a competent clerk for said office at Moberly as hereinafter provided.]

[Sec. 4. The county clerk of said county shall procure and keep a seal, to be used as the seal of said county court at Moberly. He shall also keep an office at the said city of Moberly and shall appoint a deputy clerk, resident of said city of Moberly, for whose acts he shall be responsible, and who shall, in his absence, have the care and management of all the books and papers pertaining to said county court at Moberly, and exercise the powers and perform all the duties of the office of county clerk at said city of Moberly.]

[Sec. 5. The sheriff of Randolph county shall attend said court, either in person or by deputy, and shall perform such duties as are required of him by law, and for his services he shall receive the fees allowed by law for like services in similar cases, and all process to him directed from said county court at Moberly shall be by him returned into said court at Moberly.]

[Sec. 6. All the books, papers and records pertaining to matters and causes of action pending in said county court, and all business transacted in said county court at the city of Moberly, shall be kept at the county clerk's office herein provided for, at the said city of Moberly; and all business begun in said county court at Moberly, shall be proceeded with to final determination therein, unless removed out of said court according to law; but the parties to any matter or cause of action pending in said county court at Moberly may, by agreement, in writing, signed by the parties or their attorneys, and filed in said court, remove the same into the county court at Huntsville in said county, and parties to any matter or cause of action pending in the county court at the city of Huntsville, in said county, may, in like manner, remove the same into the county court at Moberly, in said county, and said matter or cause of action, when so removed, shall be proceeded in as if it had originated in said court into which it is so removed; and in every such case the clerk of the county court may transfer the original papers on file in said matter or cause, with a certified copy of the record entries in the same, into said court into which said matter or cause of action has been so removed, and the record in said cause shall show such removal and transfer.]

[Sec. 7. all sales of real estate sold at public sale in said county of Randolph in pursuance of the judgments or order of the said county court at Moberly, shall be exposed to sale at the court house door at the city of Moberly, in said county, during the session of the said county court, or some other court of record, at said city of Moberly.]

[Sec. 8. Said county court, at the said city of Moberly, in the exercise of its jurisdiction, shall be governed by the statutes now, or that may hereafter be enacted, defining and limiting the practice in county courts in this state.]

[Sec. 9. The books, stationery, furniture, fuel, lights, rent and other incidental expenses necessary for said court and clerk's office shall be, from time to time, supplied and paid for out the county treasury of Randolph county.]



[Sec. 10. The secretary of state shall, after the passage of this act, forward to the clerk of said county court at the city of Moberly, from time to time, all statutes, reports and other books required by law to be furnished to similar courts of record for the use of said county court at the said city of Moberly.]

[Sec. 11. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable, by reason of the special circumstances of said county, creates an emergency in the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]

Section C. Sections 1 to 10 of an act of the general assembly of the state of Missouri approved on February 26, 1885, Laws of Missouri, pages 134 and 135 are repealed as follows:

[Section 1. In pursuance of notice published in accordance with the provisions of law, the tenor of which is as follows: Notice is hereby given by the householders and citizens of Randolph county, that a bill will be presented to the thirty-third general assembly of the state of Missouri, asking that four terms of the probate court of Randolph county be held at the city of Moberly, in said county, with like power and jurisdiction co-extensive with said county as pertain to similar courts of record in this state, and for the establishment of a probate office at said city of Moberly and the appointment of a separate clerk, to reside in said city and be in charge of said office. It is hereby provided that the judge of probate in said Randolph county, in addition to the terms of the probate court required by law to be held at the city of Huntsville, in said county, be and he is hereby authorized, empowered and required to hold four terms annually of said probate court at the city of Moberly, in said county, commencing on the first Monday in February, May, August and November, and may hold special and adjourned terms of said court at said city of Moberly at any time required, with like power and jurisdiction co-extensive with said Randolph county in all matters as pertain to similar courts of record in this state.]

[Sec. 2. The judge of probate of said Randolph county shall have and keep, at the said city of Moberly, an office for the transaction of the business of said court and the keeping of the records thereof, to be selected by himself, and which, when so selected, shall be known and designated as the probate office at the city of Moberly. He shall also appoint a separate clerk, resident of said city of Moberly, for whose acts he shall be responsible, who shall qualify according to law and have charge of said probate office at Moberly, and in the absence of said judge of probate shall have the custody and control of the books, records, papers and furniture pertaining to said office, and shall discharge all the duties of clerk according to law, and have power and authority to do and perform all acts and duties in vacation, which the judge of said court is or may be authorized to perform in vacation, subject to the confirmation or rejection of said probate court at Moberly at the next regular term thereafter.]

[Sec. 3. The judge of probate of said court shall procure and keep a seal, to be used as the seal of said probate court at Moberly, the expense of which, together with the necessary expense incurred by said probate court for books, stationery, furniture, fuel, light, rent and other necessaries, shall be paid by the said Randolph county.]

[Sec. 4. All the books, papers and records pertaining to matters and causes of action pending in said court, and all business transacted in said probate court at Moberly, shall be kept at the office herein provided for at the said city of Moberly; and all business begun in said court at Moberly shall be proceeded with to final determination therein, unless removed out of said court according to law. But the parties to any matter or cause of action pending in said probate court at Moberly may, by agreement, in writing, signed by said parties or their attorneys, and filed in said court by order of said court, remove the same into the probate court at Huntsville, in said county; and parties to any matter or cause of action pending in the probate court at Huntsville, in said county, may, in like manner, remove the same into the probate court at Moberly, in said county, and said matter or cause of action, when so removed, shall proceed in as if it had originated in said court into which it is removed; and in every such case the judge of probate may transfer the original papers of file in said matter or cause of action into said court into which said matter or cause of action has been so removed, and his record in said case shall show such removal and transfer.]

[Sec. 5. The sheriff of Randolph county, either in person or by deputy, shall attend said court and shall perform such duties as are enjoined upon him by law, and for his services shall receive the fees allowed by law for like services in similar cases, and all process to him directed from the said probate court at Moberly, shall be by him returned into said court at Moberly.]

[Sec. 6. The said judge of probate shall receive for his services as judge of said probate court at Moberly, in said Randolph county, the fees allowed by law for like services in similar cases, and in addition thereto an annual salary of five hundred dollars, to be paid in quarterly installments, out of the treasury of said Randolph county, to enable him to employ the separate clerk at the said office at Moberly, herein required and provided for.]

[Sec. 7. All real estate sold at public sale in said Randolph county, in pursuance of the judgment, order [or] decree of said probate court at Moberly, shall be exposed to sale at the court house door at the city of Moberly, in said county, during the session of said probate, or some other court of record in said city of Moberly.]

[Sec. 8. Said probate court at the said city of Moberly, in the exercise of its jurisdiction, shall be governed by the statutes in relation to administration, to guardians and curators of minors and persons of unsound mind, to apprentices and to such laws as may be enacted defining and limiting the practice in such courts in this state.]

[Sec. 9. The secretary of state shall, after the passage of this act, forward to the clerk of said probate court at Moberly, from time to time, all statutes, reports and other books required by law to be furnished to similar courts of record, for the use of said court at the said city of Moberly.]

[Sec. 10. The necessity of securing to the people of said Randolph county the benefits of this act at as early a day as practicable by reason of the special circumstances of said county, creates an emergency in the meaning of the constitution of this state; therefore, this act shall take effect and be in force from and after its passage.]" ; and

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

On motion of Representative Remole, **House Amendment No. 9** was adopted.

Representative Hicks offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 19, Section 79.145, Line 17, by inserting after all of said section and line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tipping houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of [twenty-seven] **thirteen** dollars **fifty** cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under subsection 1 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

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

On motion of Representative Hicks, **House Amendment No. 10** was adopted.

Representative McCaherty offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 21, Section 105.690, Line 13, by inserting after all of said section and line the following:

"105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection [4] **5** of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term "state employee" means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours.

**4. Missouri department of corrections employees classified as a corrections officer I or a corrections officer II who have accrued any overtime hours may choose to use those hours as compensatory leave time, provided that the leave time is available and agreed on by such employee and his or her supervisor. Compensatory time shall be considered accrued on completion of time worked in excess of such employee's normal assigned shift and it will be the employee's decision whether to take the time off or request payment for such hours. All employees classified as a corrections officer I or a corrections officer II shall have the right to retain up to eighty hours of compensatory time at any time during the year.**

[4.] 5. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee's department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

[5.] 6. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

[6.] 7. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

[7.] 8. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety."; and

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

On motion of Representative McCaherty, **House Amendment No. 11** was adopted.

Representative Montecillo offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 17, Section 79.130, Line 13, by inserting immediately after said line the following:

"105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works, **and whether the lobbyist is required to register under sections 589.400 to 589.425.** The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state.

The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the direct supervision of a state senator;

b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such

lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions."; and

Further amend said bill, Page 33, Section 578.120, Line 16, by inserting immediately after said line the following:

"[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official.

The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]; and

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

On motion of Representative Montecillo, **House Amendment No. 12** was adopted.

Representative Lair offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 32, Section 525.310, Line 63, by inserting after all of said section and line the following:

**"537.900. No cause of action shall be made against a sheriff, a deputy sheriff, or an administrative employee of a sheriff when the actions complained of were made in furtherance of or in compliance with a court order or directive, even if the order or directive executed is later determined to be invalid by a court of competent jurisdiction. A cause of action for damages may be brought against the party who obtained the court's order or directive if obtained by way of fraud or false statement. If such an action is filed against a sheriff, a deputy sheriff, or an administrative employee of a sheriff, all costs incurred for the defense of the action by or on behalf of the sheriff, deputy sheriff, or administrative employee shall be taxed to the petitioner.";** and

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

On motion of Representative Lair, **House Amendment No. 13** was adopted.



Representative Hinson offered **House Amendment No. 14.**

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 15, Section 67.281, Line 17, by inserting after all of said section and line the following:

"67.320. 1. Any county [of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred] **with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand** inhabitants or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. Except as provided in subsection 5 of this section in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend said bill, Section 578.120, Page 33, Line 16, by inserting after all of said section and line the following:

"[67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. Except as provided in subsection 5 of this section in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.]" and

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

On motion of Representative Hinson, **House Amendment No. 14** was adopted.

Representative McGaugh offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 17, Section 79.050, Line 40, by inserting after all of said line the following:

**"79.062. 1. The holder of any elective office who is serving a term of four years in any city of the fourth classification as described in section 72.040 may be removed by the qualified voters of such city by recall petition in accordance with the procedure set out in this section subject to the following limitations:**

- (1) The officer has held office for at least six months;**
- (2) Additional recall petitions may be filed but shall not be filed during the six months immediately following voter disapproval of the last recall petition;**
- (3) The recalled officer shall not be a candidate for such office at any special election held to fill the vacancy created by the officer's recall, nor shall the officer be appointed by the appointing authority to fill the vacancy.**

**2. A petition signed by voters entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least twenty-five percent of the total number of registered voters in such city entitled to vote for a successor to the incumbent sought to be removed, demanding the recall of a person from elective office shall be filed with the county clerk. The petition shall contain a statement of the reasons for which recall is sought which shall not be more than two hundred words in length. Such petition for recall shall be filed with the appropriate county clerk or election authority within sixty days after the date of the earliest signature on the petition. The reasons for recall are misconduct in office, incompetence, or failure to perform duties prescribed by law. The signatures to the petition need not all be appended to one paper, but each signer shall add to the signer's signature the signer's place of residence, giving the street and number and the date signed. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as the signer believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**

**3. Within ten days from the date of filing such petition, the county clerk of the county in which such city is located shall examine and from the voters' register ascertain whether the petition is signed by the requisite number of voters, and if necessary, the board of aldermen shall allow the clerk extra help for the purpose. The clerk shall attach to the petition a certificate showing the result of the examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of such certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition, and if the clerk's certificate shall show the amended petition to be insufficient, the amended petition shall be returned to the person filing it, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the clerk shall submit the same to the board of aldermen without delay. If the petition shall be found to be sufficient, the board of aldermen shall order the question to be submitted to the voters of the city.**

4. A special election shall be held on the recall petition as soon as practicable and as may be determined by the election authority of the county. The question to be presented to the voters at such election shall be in substantially the following form:

- FOR the removal of ..... (name of officer) from the office of ..... (title of office)
- AGAINST the removal of ..... (name of officer) from the office of ..... (title of office)

5. If a majority of the qualified electors voting on the question at such election shall vote FOR the removal of such officer, a vacancy shall exist in such office. If a majority of the qualified electors voting on the question at such election shall vote AGAINST the removal of such officer, such officer shall continue to serve during the term for which elected."; and

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

On motion of Representative McGaugh, **House Amendment No. 15** was adopted.

Representative Rehder offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 27, Section 321.322, Line 68, by inserting after all of said line the following:

"339.507. 1. There is hereby created within the division of professional registration the "Missouri Real Estate Appraisers Commission", which shall consist of seven members appointed by the governor with the advice and consent of the senate, six of whom shall be appraiser members, and one shall be a public member. Each member shall be a resident of this state and a registered voter for a period of one year prior to the person's appointment. The president of the Missouri Appraiser Advisory Council in office at the time shall, at least ninety days prior to the expiration of the term of the commission member, other than the public member, or as soon as feasible after the vacancy on the commission otherwise occurs, submit to the director of the division of professional registration a list of five appraisers qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Appraiser Advisory Council shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association. The public member shall have never been engaged in the businesses of real estate appraisal, real estate sales or making loans secured by real estate.

2. The real estate appraiser members appointed by the governor shall be Missouri residents who have real estate appraisal experience in the state of Missouri for not less than five years immediately preceding their appointment. Appraiser members of the commission shall be appointed from the registry of state-certified real estate appraisers and state-licensed real estate appraisers. **Real estate appraiser commission members, appointed after August 28, 2014, shall not be from the same United States congressional district.**

3. All members shall be appointed for three-year terms. All members shall serve until their successors have been appointed and qualified. Vacancies occurring in the membership of the commission for any reason shall be filled by appointment by the governor for the unexpired term. Upon expiration of their terms, members of the commission shall continue to hold office until the appointment and qualification of their successors. No more than four members of the commission shall be members of the same political party. No person shall be appointed for more than two consecutive terms. The governor may remove a member for cause.

4. The commission shall meet at least once each calendar quarter to conduct its business. A quorum of the commission shall consist of four members.

5. Each member of the commission shall be entitled to a per diem allowance of fifty dollars for each meeting of the commission at which the member is present and shall be entitled to reimbursement of the member's expenses necessarily incurred in the discharge of the member's official duties. Each member of the commission shall be entitled to reimbursement of travel expenses necessarily incurred in attending meetings of the commission.

6. The commission shall prepare an annual report outlining business conducted by the commission during the previous calendar year and shall submit a copy to the general assembly by April first of each year. The report shall include:

- (1) The number of complaints that were filed against licensees;
- (2) The number and disposition of investigations conducted by the commission pursuant to the filing of a complaint; and
- (3) An accounting of all expenditures of the commission.

339.531. 1. Any person may file a complaint with the commission alleging that a licensee has committed any combination of the acts or omissions provided in subsection 2 of section 339.532. A complaint shall be in writing and shall be signed by the complainant, but a complainant is not required to specify the provisions of law or regulations alleged to have been violated in the complaint.

2. Upon the receipt of a complaint against a licensee, the commission shall refer the complaint to the probable cause committee. The commission shall appoint a probable cause committee of four members, one of whom shall be a current member of the commission and three past commission members selected by the commission. The probable cause committee shall serve in an advisory capacity to the commission and review complaints and make a recommendation to the commission regarding the disposition of the complaint. The commission shall provide by rule for the selection process, length of committee member terms, and other procedures necessary for the functioning of the committee.

3. Each complaint shall be considered a grievance until reviewed by the probable cause committee. When a grievance is filed under subsection 1 of this section, a copy shall be provided to the licensee, who shall have ten working days to respond documenting why the grievance may have no merit. If the licensee responds within the allowable time, the probable cause committee shall review the grievance and response. If the probable cause committee determines that the grievance has no merit, the grievance shall be dismissed and no complaint shall be placed on the licensee's record. If the probable cause committee determines that the grievance has merit, it shall present the case to the commission, and the commission shall decide whether or not to proceed with an investigation of the grievance as a complaint. If the commission decides to proceed with an investigation of a complaint, at that time the complaint shall become a part of the licensee's record.

4. When the commission determines to proceed with a complaint against a licensee, the commission shall investigate the actions of the licensee against whom the complaint is made. In conducting an investigation, the commission may request the licensee under investigation to:

- (1) Answer the charges made against him or her in writing;
- (2) Produce relevant documentary evidence pertaining to the specific complaint causing the investigation; and
- (3) Appear before the commission.

5. A copy of any written answer of the licensee requested under subsection 4 of this section may be furnished to the complainant, as long as furnishing the written answer does not require disclosure of confidential information under the Uniform Standards of Professional Appraisal Practice.

6. The commission shall notify the complainant and the licensee that an investigation has been commenced within ten working days of the date of the commission's decision to proceed with a complaint under subsection 4 of this section. The commission shall also notify and inform the complainant and licensee of the status of the investigation every sixty days following the commencement of the investigation. No investigation shall last longer than twelve months. Once an investigation is closed or dismissed it shall not be reopened.

7. In the event that the commission fails to meet the notification and investigation requirements of this section or does not finish the investigation within twelve months, then the commission shall provide the complainant at the commission's expense with an appraisal and an appraisal report of the real estate originally appraised by the licensee under investigation.

8. A real estate appraiser member of the commission shall recuse themselves from any matter in which their knowledge of the parties, circumstances, or subject matter will substantially affect their ability to be fair and impartial.

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

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

On motion of Representative Rehder, **House Amendment No. 16** was adopted.

Representative Hicks offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 24, Section 192.310, Line 7, by inserting immediately at the end of said line the following:

"273.195. 1. Nothing in this chapter shall be construed to limit in any manner the authority of any village, town, or city, including any home rule city, to prohibit dogs from running at large or to further control or regulate dogs within its boundaries; provided that, no such ordinances, orders, policies, or regulations are specific to breed.

2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs to the complete exclusion of any order, ordinance, policy, or regulation by any village, town, or city, including any home rule city, in this state. Any existing or future orders, ordinances, policies, or regulations in this field are hereby and shall be null and void."; and

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

Representative Solon offered **House Amendment No. 1 to House Amendment No. 17**.

*House Amendment No. 1*

*to*

*House Amendment No. 17*

AMEND House Amendment No. 17 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672, Page 1, Line 10, by deleting "state." and inserting in lieu thereof the following:

"state; except that, nothing in this section shall limit the authority of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants or any home rule city with more than four hundred thousand inhabitants and located in more than one county, to require by ordinance or regulation the spaying or neutering of specific breeds of dogs."; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schieber
Shull	Shumake	Solon	Sommer	Stream
Swan	Thomson	Torpey	Walker	Wieland
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Curtis	Dunn	English	Englund	Frame
Gardner	Harris	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Colona	Conway 10	Conway 104	Ellington
Elmer	Engler	Grisamore	Guernsey	Hinson
Hodges	Hough	May	Molendorp	Redmon
Rhoads	Roorda	Schatz	Spencer	White

VACANCIES: 003

On motion of Representative Solon, **House Amendment No. 1 to House Amendment No. 17** was adopted.

Representative Berry moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Higdon	Hoskins	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Zerr	Mr. Speaker

NOES: 044

Anders	Black	Burns	Carpenter	Curtis
Dunn	Ellington	English	Englund	Frame
Gardner	Harris	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Butler	Colona	Conway 10	Elmer
Engler	Grisamore	Guernsey	Hicks	Hinson
Hodges	Hough	May	Molendorp	Parkinson
Rhoads	Roorda	Schatz	Smith	Wood

VACANCIES: 003

On motion of Representative Hicks, **House Amendment No. 17, as amended,** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Haahr	Haefner	Hampton	Hansen	Higdon
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr. Speaker				

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Bahr	Brattin	Colona	Elmer	Engler
Fitzpatrick	Grisamore	Guernsey	Hicks	Hinson
Hodges	Hough	May	Molendorp	Roorda
Zerr				

VACANCIES: 003

On motion of Representative Jones (50), **HCS SCS SB 672, as amended**, was adopted.



On motion of Representative Jones (50), **HCS SCS SB 672, as amended**, was read the third time and passed by the following vote:

AYES: 088

Allen	Barnes	Bernskoetter	Berry	Cierpiot
Conway 104	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Elmer	Engler
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hoskins	Houghton	Hummel	Jones 50
Justus	Kelley 127	Kelly 45	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Montecillo	Morris	Muntzel	Neely
Neth	Pfausch	Phillips	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr. Speaker		

NOES: 061

Anders	Anderson	Austin	Black	Brown
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Curtman	Dugger	Dunn
Ellington	English	Englund	Fitzpatrick	Frame
Gardner	Harris	Higdon	Hubbard	Hurst
Johnson	Keeney	Kirkton	Koenig	Kratky
LaFaver	Marshall	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pierson	Pogue	Rehder	Rizzo	Roorda
Runions	Schieber	Schupp	Smith	Swearingen
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bahr	Brattin	Cookson	Grisamore	Hinson
Hodges	Hough	May	Molendorp	Swan

VACANCIES: 003

Speaker Pro Tem Hoskins declared the bill passed.

Speaker Jones resumed the Chair.

**HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616, & 624**, relating to elementary and secondary education, was again taken up by Representative Stream.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 33, Section 163.021, Line 30, by inserting immediately after the word "**education**" the following:

**"when the use of such funds is approved by the voters of the district under subsection 6 of section 167.828";** and

Further amend said bill, Page 47, Section 167.828, Line 1, by inserting immediately after the word "**district**" the following:

**"located in any city not within a county, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants";** and

Further amend said bill and section, Page 48, Line 23, by inserting immediately after the word "**education**" the following:

**", the appropriate education authority, and the unaccredited district";** and

Further amend said bill, page, and section, Line 29, by adding after all of said line the following:

**"6. (1) This section shall become effective only after the governing body of the unaccredited school district specified in subsection 1 of this section submits to the voters residing within the district at a general election a proposal to authorize the governing body to use local operating funds for school purposes to pay tuition at a nonsectarian private school for students assigned to an unaccredited school in the district under sections 167.826 to 167.828 and such proposal is approved by the voters of the district as provided in this subsection. The governing body of the school district shall submit the proposal to the voters of the district at the next general election after the decision of the state board of education declaring the district unaccredited for which the deadline for submission of such ballot proposals is open. The ballot proposal presented to the local voters shall contain substantially the following language:**

**Shall the (school district's name) allow the use of the district's local operating funds for school purposes to pay tuition at nonsectarian private schools for students who are assigned to an unaccredited public school in the district and who apply to transfer to nonsectarian private schools under section 167.828, RSMo.?**

**YES                       NO**

**If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the question, this section shall become effective in that district the next school year. If a majority of the votes cast on the question by the qualified voters voting thereon is opposed to the question, this section shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.**

**(2) Whenever the governing body of a school district specified in subsection 1 of this section that has not authorized the use of its local operating funds for school purposes as provided in this subsection receives a petition from a nonsectarian private school, signed by the school's chief operating officer, calling for an election to authorize the use of local operating funds for school purposes to pay tuition at a private nonsectarian school under this subsection, the governing body shall submit to the voters a proposal to authorize such use of funds at the next general election for which the deadline for submission of such ballot proposals is open. If a majority of the votes cast on the question by the qualified voters voting thereon is in**

favor of the proposal, this section shall become effective in that district the next school year. If a majority of the votes cast on the proposal by the qualified voters voting thereon is opposed to the proposal, this section shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal."; and

Further amend said bill, Page 56, Section 167.848, Line 18, by deleting all of said line and inserting in lieu thereof the following:

**"educational services, and that is not disqualified from accepting public funds by any provision of the Missouri or United States constitutions;"**; and

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

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 5 of said amendment, by inserting after all of said line the following:

"Further amend said bill, Page 47, Section 167.827, Lines 32 to 35, by deleting all of said lines and inserting in lieu thereof the following:

**"(3) Length of residence in the district; and**  
**(4) Distance and travel time to a receiving school.**

**The education authority shall not consider student academic performance, free and reduced lunch status, or athletics in assigning a student to a school.";** " ; and

Further amend said amendment and page, Line 12 of said amendment, by inserting after all of said line the following:

"Further amend said bill and section, Page 48, Line 22, by deleting the word **"and"** and inserting after all of said line the following:

**"(6) For all students enrolled in the school under the nonsectarian option set forth in section 167.826, complies with the following statutes and any regulations promulgated thereunder by the department of elementary and secondary education: 43.408, 43.540, 160.041, 160.045, 160.257, 160.261, 160.262, 160.263, 160.518 for state assessments, the cost of which shall be paid consistent with the manner in which they are paid for students in public schools, 160.522, 160.539, 160.570, 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014, 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720, subdivisions (1) to (3) of 162.821, 162.1250, 162.995, 162.1125, subdivisions (1) and (2) of subsection 1 of 163.021 for eligibility to receive local funds but compliance with these sections shall not make nonsectarian private schools eligible to receive state funding under 163.031, 167.018, 167.019, 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122, 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208, 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635, 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051, 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151, 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003, 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760, 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010, 452.375, 452.376, and 544.193. Nothing in this subdivision shall be construed to exempt the nonsectarian private school from other statutes and regulations which applied to the nonsectarian schools as of January 1, 2014;**

(7) **Furnishes to the department of elementary and secondary education all necessary data for the calculation of an annual performance report score, which the department shall calculate for each participating nonsectarian private school. At the option of the nonsectarian private school, such score shall be based upon only the records pertaining to students enrolled in the school through the transfer program or for all students if the school chooses to administer state testing to all students;**

(8) **Where applicable, contracts with a special school district to provide special education services to eligible students on the same terms as public schools, and the costs associated with the services shall be paid in the same manner;**

(9) **Certifies to the department of elementary and secondary education and to the unaccredited district that it shall accept the tuition amount specified in subsection 2 of this section as payment in full for the transfer student and shall not require the parent or guardian to pay any additional amount for tuition; and";**  
and

Further amend said bill, section, and page, Line 23, by renumbering subdivision (6) as (10); and"; and

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

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

Representative LaFaver offered **House Amendment No. 2 to House Amendment No. 1.**

*House Amendment No. 2*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 2, Line 16 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

**"proposal.**

**7. When the percentage of transfer students at a nonsectarian private school receiving transfer students under this section reaches twenty-five percent of the school's enrollment, the school shall conform to the Missouri school improvement program performance standards to continue its eligibility for the program under this section.";** and"; and

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

On motion of Representative LaFaver, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Wood, **House Amendment No. 1, as amended,** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 2, Section 160.011, Line 42, by deleting all of said line and inserting in lieu thereof the following:

"thousand forty-four hours **and as of school year 2015-16, one thousand eighty hours**"; and

Further amend said bill, Page 24, Section 161.086, Line 14, by inserting immediately after the word "**education**" the following:

", **to underperforming districts**,"; and

Further amend said bill and section, Page 25, Line 19, by inserting immediately after the word "**parent**" the following:

**"of a student in the district; the department staff member assigned to the region of the district may be included in the activities of the team but shall not be assigned formally to a team"**; and

Further amend said bill, page, and section, Line 24, by inserting immediately after the word "**provisional**" the following:

", **underperforming**,"; and

Further amend said bill, page, and section, Line 26, by deleting the word "**percentage**" and inserting in lieu thereof the following:

"**performance**"; and

Further amend said bill, page, and section, Line 28, by inserting immediately after the word "**borderline**" the following:

**"or underperforming"**; and

Further amend said bill, page and section, Lines 32 to 33, by deleting all of said lines and inserting in lieu thereof the following:

**"4. The proportion of schools that"**; and

Further amend said bill, Page 25, Section 161.238, Line 6, by adding immediately after the word "**centers**" the following:

", **as defined in section 167.848**,"; and

Further amend said bill, Page 27, Section 162.081, Line 32, by deleting the word "**One**" and inserting in lieu thereof the following:

**"At least one"**; and

Further amend said bill, page, and section, Lines 41 to 44, by deleting all of said lines and inserting in lieu thereof the following:

"officer of the school district **or a subset of schools** and to have all powers and duties of any other general superintendent of schools in a seven-director school district. **Nothing in this section shall be construed to permit either the state board of education or a special administrative board to raise, in any way not specifically allowed by law, the tax levy of the district or any part of the district without a vote of the people.** Any special administrative board appointed under this section shall be responsible for the operation of the district **or part of the district** until such time that the district **or part of the district** is classified by the state board of education as provisionally accredited for at least"; and

Further amend said bill and section, Page 29, Line 114, by adding after all of said line the following:

**"10. The provisions of subsection 9 of this section shall not apply to any school district solely on the basis of financial difficulty resulting from paying tuition and providing transportation for students in a transfer program under sections 167.825 to 167.828.";** and

Further amend said bill, Page 32, Section 162.1310, Lines 4 to 6, by deleting all of said lines and inserting in lieu thereof the following:

**"notice shall include an explanation of which students may be eligible to transfer, the transfer process under sections 167.826 to 167.828, and any services students may be entitled to";** and

Further amend said bill, Page 40, Section 167.685, Line 12, by inserting immediately after the word "disbursements" the following:

**"of public money";** and

Further amend said bill, page and section, Line 14, by inserting immediately after the word "education" the following:

**"and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement";** and

Further amend said bill, Page 41, Section 167.687, Line 2, by inserting immediately after the word "actions" the following:

**", including but not limited to";** and

Further amend said bill, Page 43, Section 167.826, Line 3, by deleting the words "district originally created" and inserting in lieu thereof the following:

**"seven-director, urban, or metropolitan district";** and

Further amend said bill, page, and section, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following:

**"or an adjoining county, to a charter school located in the same district, or to a nonsectarian private school located in the same district as provided in sections 167.826 to 167.828. A";** and

Further amend said bill, page, and section, Line 12, by deleting the word "accredited" and inserting in lieu thereof the following:

**"unaccredited";** and

Further amend said bill and section, Page 44, Line 28, by deleting all of said line and inserting in lieu thereof the following:

**"3. For a receiving district, no acceptance of a transfer student shall require any of the following actions, unless the board of education of the receiving district has approved the action:"**; and

Further amend said bill, page, and section, Line 38, by deleting all of said line and inserting in lieu thereof the following:

**"education."**; and

Further amend said bill and section, Page 45, Line 60, by inserting immediately after the word **"total"** the following:

**"under subdivision (1) of this subsection"**; and

Further amend said bill, page, and section, Lines 70 to 78, by deleting all of said lines and inserting in lieu thereof the following:

**"6. Each potential receiving district shall have the right to establish by objective means and adopt a policy for class size and student-teacher ratios under subsection 3 of this section and shall report its policy to the state board of education for its review. A policy may allow for estimated growth in the resident student population. If a district adopts such a policy, it shall submit the policy to the state board of education, which shall approve the policy unless it finds that the district's policy is unduly restrictive to student transfers, in which case the board may limit or revise the implementation of the district's policy. Upon the state board's approval of the policy, the district shall not be required to accept any transfer students under this section that would violate its class size or student-teacher ratio policy. The state board of education's decision shall be final."**; and

Further amend said bill, Page 46, Section 167.827, Line 21, by inserting immediately after the word **"insufficient"** the following:

**"grade-appropriate"**; and

Further amend said bill, page, and section, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

**"school year. The authority shall only disrupt student and parent choice for transfer if either in-"**; and

Further amend said bill, page and section, Line 27, by deleting the word **"first"** and inserting in lieu thereof the following:

**"before any student is allowed to transfer out of the unaccredited district or to a private nonsectarian school"**; and

Further amend said bill, Page 47, Section 167.828, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

**"section 167.848, located in his or her district of residence and is assigned to such school by the education authority."**; and

Further amend said bill, Page 48, Section 167.830, Line 9, by inserting immediately after the word **"in"** the following:

**"an"**; and

Further amend said bill, Page 50, Section 167.833, Line 8, by inserting immediately after the word "**disbursements**" the following:

**"of public money";** and

Further amend said bill, page and section, Line 10, by inserting immediately after the word "**education**" the following:

**"and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement";** and

Further amend said bill, Page 53, Section 167.839, Line 4, by deleting the words "**student transfer coordination**" and inserting in lieu thereof the following:

**"education";** and

Further amend said bill, page, and section, Line 9, by inserting immediately after the word "**disbursements**" the following:

**"of public money";** and

Further amend said bill, page and section, Line 10, by inserting immediately after the word "**education**" the following:

**"and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement";** and

Further amend said bill, Page 54, Section 167.842, Lines 16 and 17, by deleting all of said lines and inserting in lieu thereof the following:

**"district to such schools as are permitted under section 167.826.";** and

Further amend said bill, Page 55, Section 167.845, Line 4, by deleting the words "**student transfer coordination**" and inserting in lieu thereof the following:

**"education";** and

Further amend said bill and section, Page 56, Line 8, by inserting immediately after the word "**disbursements**" the following:

**"of public money";** and

Further amend said bill, page and section, Line 10, by inserting immediately after the word "**education**" the following:

**"and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement";** and

Further amend said bill, Page 56, Section 167.848, Line 8, by inserting after all of said line the following:

**"(3) "Attendance center", a school building or buildings or part of a school building that constitutes one unit for accountability purposes under the Missouri school improvement program;"**; and



Further amend said bill and section by renumbering subsequent subdivisions accordingly; and

Further amend said bill, page, and section, Line 12, by deleting the word "**seventy-five**" and inserting in lieu thereof the following:

**"fifty"**; and

Further amend said bill, Page 58, Section 170.320, Line 9, by inserting immediately after the word "**disbursements**" the following:

**"of public money"**; and

Further amend said bill, page, and section, Line 11, by inserting immediately after the word "**education**" the following:

**"and shall make disbursement of private funds according to the directions of the donor; if the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement"**; and

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

Representative LaFaver offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 6 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

"Further amend said bill, Page 24, Section 161.086, Line 11, by inserting after all of said line the following:

**"3. The state board of education may classify a district as provisionally accredited if the district is classified as unaccredited and has demonstrated three successive years of improvement, provided that at least two of the three years most recent annual performance reports are consistent with provisionally accredited status and the district demonstrates sound governance and financial solvency."**; and

Further amend said bill by renumbering subsequent subsections accordingly; and

Further amend said bill, page and section, Line 14, by inserting immediately after the word"; and

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

On motion of Representative LaFaver, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Stream, **House Amendment No. 2, as amended**, was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 19, Section 160.408, Line 3, by deleting the word "**seventy-five**" and inserting in lieu thereof the following:

"**ninety**"; and

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

Representative Diehl offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 2 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

"485, 495, 516, 534, 545, 595, 616, & 624, Page 5, Section 160.400, Line 51, by inserting immediately following the second occurrence of the word "**education**;" the following:

"**or**"; and

Further amend said bill, page, and section, Lines 54 to 56, by deleting all of said line and inserting in lieu thereof the following:

"**unaccredited by the state board of education.**"; and

Further amend said bill, Page 18, Section 160.405, Line 334, by inserting after all of said line the following:

**"16. For purposes of completing and distributing the annual report card as prescribed in section 160.522, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools, and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status."**; and

Further amend said bill, Page 19, Section 160.408, Line 3, by deleting the word"; and

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

On motion of Representative Diehl, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Anders, **House Amendment No. 3, as amended**, was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 32, Section 162.1303, Lines 28 to 34, by deleting all of said lines and inserting in lieu thereof the following:

**"162.1305. 1. For purposes of this section, "transient student" means any student who transferred between different school districts more than once in the current or immediately preceding school year.**

**2. In the first year of attendance in a district, a transient student's score on a statewide assessment shall not be included when calculating the status or progress scores on the district's annual performance report scores. The statewide assessment scores for any transient student in the first year of attendance in a district shall be counted for growth scores from the previous year's assessment for the purpose of the district's annual performance report score and to serve as the baseline for growth in the next year's assessment.**

**3. In the second year of attendance, a transient student's score on a statewide assessment shall be weighted at fifty percent when calculating the district's performance for purposes of the district's annual performance report status or progress score, with growth counting for fifty percent.**

**4. In the third year of attendance, a transient student's status, progress and growth score shall be weighted at one hundred percent when calculating the district's performance for purposes of the district's annual performance report score.";** and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 43, Section 167.825, Line 1, by inserting "**1.**" immediately after "**167.825.**"; and

Further amend said bill, page, and section, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following:

**"2. A student who has transferred under this section shall be permitted to complete middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred as long as the student previously attended a school in the sending district for at least one semester before initially transferring unless the student was an entering kindergarten or first grade student and";** and

Further amend said bill, page, and section, Line 10, by adding after all of said line the following:

**"3. Regardless of the accreditation status of the sending district, any student who transferred out of the district in school year 2013-14 but did not attend a public school in the unaccredited district shall no longer be eligible to transfer under this section in school year 2014-15.";** and

Further amend said bill, Page 45, Section 167.826, Line 55, by inserting immediately after the word "**subsection**" the following:

**"or one hundred percent of the receiving district's tuition, whichever is less,";** and

Further amend said bill and section, Page 46, Line 97, by deleting all of said line and inserting in lieu thereof the following:

**"complete middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred as long as the student previously attended a school in the sending district for at least one semester before initially transferring unless the student was an entering kindergarten or first grade student who applied by April of the year preceding first entry.";** and

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

Representative Cierpiot offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Line 2 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

"485, 495, 516, 534, 545, 595, 616, & 624, Page 29, Section 162.432, Lines 1-12, by deleting all of said section and said lines; and

Further amend said bill, Page 43, Section 167.825, Line 1, by inserting "1.""; and

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

On motion of Representative Cierpiot, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Wood, **House Amendment No. 5, as amended**, was adopted.

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 3, Section 160.041, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

**"2. Beginning with school year 2015-16, in any regular or summer school term, school days shall be scheduled so that";** and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 65, Section 1, Line 25, by inserting after all of said line the following:

"Section 2. 1. There is hereby established within the department of elementary and secondary education a task force, to be known as the "school transfer and improvement task force", which shall be composed of eleven members. As used in this section, the term "task force" means the school transfer and improvement task force.

2. The task force is hereby created to study the following:

(1) Means to address failing schools including but not be limited to the creation of a school improvement district;

(2) Developing options for school transfer finance formulas;

(3) Best practices for how to design and finance public virtual and blended schools; and

(4) Best practices and possible pilot projects to assist transient students.

3. The task force shall consist of all of the following members:

(1) Three members of the senate of whom not more than two from one party and one member from an education policy research organization in Missouri appointed by the president pro tem of the senate;

(2) Three members of the house of representatives of whom not more than two from one party and one member from a statewide business association appointed by the speaker of the house;

(3) The commissioner of education or his or her designee;

(4) The governor or his or her designee; and

(5) The lieutenant governor or his or her designee.

4. The first meeting of the task force shall be called by the president pro tem of the senate. The task force shall elect a presiding officer by a majority vote of the membership of the task force. Subsequent meetings of the task force shall be at the call of the presiding officer.

5. The task force shall make recommendations regarding the subject in subsection 2 of this section. In making those recommendations, the task force shall receive reports and testimony from individuals, state and local agencies, experts and other public and private organizations.

6. The recommendations may include proposals for specific statutory changes.

7. The members shall receive no compensation for their services on the task force, but shall be reimbursed for ordinary and necessary expenses incurred in the performance of their duties.

8. By February 1, 2015, the task force shall report its findings and recommendations to the general assembly.

9. The task force shall expire on April 31, 2015."; and

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

Representative Lant offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1*

*to*

*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 1, Lines 2 to 4 of said amendment, by deleting the words "Page 65, Section 1, Line 25, by inserting after all of said line the following: "Section 2." and inserting in lieu thereof the following:

"Pages 64 and 65, Section 1, by deleting said section from the bill and inserting in lieu thereof the following:

"Section 1.""; and

Further amend said amendment and page, Line 21, by deleting all of said line and inserting in lieu thereof the following:

**"(4) One member from an education organization consisting entirely of elected officials appointed by the commissioner of education; and"**; and

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

On motion of Representative Lant, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Berry, **House Amendment No. 7, as amended**, was adopted.

Representative Rowland offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 40, Section 167.131, Line 10, by deleting "district is the per pupil cost" and inserting in lieu thereof the following:

"district [is the] **shall be a negotiated tuition or seventy percent of** the per pupil cost"; and

Further amend said section and page, Line 11, by deleting "attended" and inserting in lieu thereof the following:

"attended, **whichever is the lesser amount**"; and

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

On motion of Representative Rowland, **House Amendment No. 8** was adopted by the following vote, the ayes and noes having been demanded by Representative Rowland:

AYES: 088

Allen	Anders	Anderson	Bahr	Barnes
Black	Burns	Cierpiot	Colona	Conway 10
Cookson	Crawford	Curtis	Davis	Diehl
Dugger	Dunn	English	Englund	Entlicher
Fitzwater	Flanigan	Fraker	Frame	Frederick
Funderburk	Gatschenberger	Gosen	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Kelley 127	Koenig	Kolkmeier	Kratky	LaFaver
Lant	Leara	Lichtenegger	Love	Lynch
McCaherty	McCann Beatty	McKenna	Messenger	Mims
Montecillo	Muntzel	Pace	Peters	Phillips
Pogue	Redmon	Reiboldt	Remole	Richardson
Riddle	Rizzo	Roorda	Rowland	Scharnhorst
Schatz	Shumake	Smith	Solon	Spencer
Stream	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 065

Austin	Bernskoetter	Berry	Brown	Burlison
Butler	Carpenter	Conway 104	Cornejo	Cox
Cross	Curtman	Dohrman	Ellington	Elmer
Engler	Fitzpatrick	Franklin	Gannon	Gardner
Grisamore	Guernsey	Harris	Hinson	Hurst
Justus	Keeney	Kelly 45	Kirkton	Korman
Lair	Lauer	Marshall	McGaugh	McManus
McNeil	Meredith	Miller	Mitten	Molendorp
Moon	Morgan	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfautsch	Pierson	Pike	Rehder	Rhoads
Ross	Rowden	Runions	Schieber	Schieffer
Schupp	Shull	Sommer	Swan	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hodges	Jones 50	May	Mayfield
McDonald				

VACANCIES: 003

**Representative Curtis offered House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 26, Section 161.238, Line 25, by inserting after all of said line the following:

**"161.990. 1. A state "Community Education Council" (CEC) shall be established for the purpose of advising the commissioner of education and the department of elementary and secondary education on issues relating to schools and educational opportunities that are of importance in individual communities within the state.**

**2. The CEC shall have a membership of twenty-one persons who shall be serving concurrently on community action councils established under section 161.995. The method of appointment, along with a procedure to ensure that CEC membership includes persons from community action councils representing accredited districts, unaccredited districts, and provisionally accredited districts, shall be established by the department of elementary and secondary education. CEC members shall be appointed as follows:**

**(1) Four members shall be selected from each geographic quadrant within the combined area of a city not within a county and a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, with four members representing the north quadrant, four members representing the east quadrant, four members representing the south quadrant, and four members representing the west quadrant; and**

**(2) Five members shall be selected at large.**

**Only one member of a particular community action council shall serve on the CEC at any one time.**

**3. The commissioner of education or the commissioner's designee shall convene the first meeting of the CEC for the purpose of establishing the bylaws of the CEC and electing officers to include a chairperson, vice chairperson, and secretary. CEC members may be reimbursed for expenses but shall not receive a per-diem allowance.**

**4. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

**161.995. 1. Prior to the 2015-16 school year, there shall be established in each school district located within a city not within a county and in each school district located within a county with a charter form of government and with more than nine hundred fifty thousand inhabitants a "Community Action Council" (CAC). Each CAC shall consist of volunteer members who shall be responsible for developing a strategic plan for educational success within their communities. Each CAC shall report its findings and plans for action to the department of elementary and secondary education on an annual basis, with the first report made to the department in January 2016, and subsequent reports made each January thereafter. CAC members shall reside in the school district and shall consist of:**

- (1) Parents;**
- (2) Elected officials;**
- (3) Faith-based institutions;**
- (4) Health care organizations;**
- (5) Community-based organizations;**
- (6) School board members;**
- (7) Business leaders;**
- (8) Educators and school administrators;**
- (9) Community residents; and**
- (10) Students.**

**2. Each CAC shall work to empower the community they serve to improve local quality education by:**

- (1) Informing parents and community members about the performance and utilization of schools in their neighborhood and the priorities of the CAC;**
- (2) Engaging community stakeholders in developing strategies to improve schools through regular meetings, subcommittees, and community dialogues;**
- (3) Devising a strategic plan to improve their communities' educational opportunities;**
- (4) Providing guidance in developing and recommending a community vision for improved schools and ensure that students graduate prepared for success in college and career.**

**3. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void."; and**

Further amend said bill, Page 64, Section 177.088, Line 97, by inserting after all of said line the following:

"210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one



hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.

**6. In any county that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, ten percent of the service fund's yearly revenues shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that ten percent is allocated according to this subsection.**

**(1) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.**

**(2) The board shall appoint three of its members to a direct school service coordinating committee. The direct school service coordinating committee shall have two members appointed by the school board of each affected school district. One member shall be a parent with a child enrolled in a public school in the district and one member shall be a school services staff member.**

**(3) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.";** and

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

On motion of Representative Curtis, **House Amendment No. 9** was adopted.

Representative Smith offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 493, 485, 495, 516, 534, 545, 595, 616, & 624, Page 29, Section 162.081, Line 107, by inserting immediately after the word "district" the following:

**"; however, no unaccredited district with an enrollment of five thousand pupils or less that has participated in the transfer program under section 167.131 as a result of judicial decision shall be merged with existing districts in the event of its lapse. The state board of education shall implement a reform plan submitted by the district and shall determine, by a majority vote, whether said reform plan shall be supervised by the elected school board, a special administrative board, or a reconstituted district with a new elected local school board"; and**

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

On motion of Representative Smith, **House Amendment No. 10** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo

Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Curtman	Fitzwater	Hodges	May
Mayfield	Schatz			

VACANCIES: 003

On motion of Representative Stream, **HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616, & 624, as amended**, was adopted.

On motion of Representative Stream, **HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616, & 624, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Burlison
Cierpiot	Colona	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Engler	Englund	Entlicher	Fitzpatrick
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	LaFaver	Lair	Lant	Learn
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Moon	Muntzel	Neth	Pfausch
Phillips	Rehder	Reiboldt	Remole	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shumake	Solon	Spencer
Stream	Swan	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr. Speaker				

NOES: 064

Brown	Burns	Butler	Carpenter	Conway 10
Conway 104	Cross	Dugger	Dunn	Ellington
Elmer	English	Fitzwater	Frame	Gannon
Gardner	Grisamore	Hampton	Harris	Hummel
Hurst	Kirkton	Korman	Kratky	Lauer
Marshall	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pierson	Pike	Pogue

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Redmon	Rhoads	Rizzo	Roorda	Runions
Schieffer	Schupp	Shull	Smith	Sommer
Swearingen	Thomson	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 004

Brattin	Hodges	May	Mayfield
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VACANCIES: 003

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Gannon	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Muntzel
Neely	Neth	Norr	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith	Solon	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	White	Wieland	Wilson	Wood
Wright	Zerr	Mr. Speaker		

NOES: 020

Conway 104	Ellington	Gardner	Gatschenberger	Grisamore
Hummel	Marshall	McNeil	Morgan	Morris
Newman	Nichols	Otto	Parkinson	Pogue
Roorda	Schieffer	Schupp	Sommer	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Cierpiot	Funderburk	Hodges	May
Mayfield				

VACANCIES: 003

**HCS SCS SB 643**, relating to the publishing of Missouri statutes, was taken up by Representative Austin.

Representative Keeney assumed the Chair.

On motion of Representative Austin, **HCS SCS SB 643** was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schupp	Shull	Shumake	Smith
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 002

Morris	Richardson
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PRESENT: 000

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ABSENT WITH LEAVE: 010

Brattin	Funderburk	Hodges	Korman	May
Mayfield	Molendorp	Pace	Schieffer	Wright

VACANCIES: 003

On motion of Representative Austin, **HCS SCS SB 643** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Moon	Morgan
Muntzel	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr. Speaker		

NOES: 002

Conway 10	Morris
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	English	Funderburk	Hodges	May
Mayfield	Molendorp	Montecillo	Neely	

VACANCIES: 003

Representative Keeney declared the bill passed.

### PERFECTION OF HOUSE BILLS

**HCS HB 2141**, relating to alternative fuels, was taken up by Representative Diehl.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2141, Page 3, Section 142.869, Line 35, by inserting immediately after said line the following:

**"3. (1) Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (4) or (5) of subsection 1 of section 142.803 if:**

**(a) Such motor vehicles are powered by compressed natural gas or liquefied natural gas;**

**(b) The owners or operators of such motor vehicles have installed a compressed natural gas fueling station or liquefied natural gas fueling station prior to January 1, 2016; and**

**(c) Such fueling stations are used solely to fuel the owner or operator's motor vehicles.**

**(2) Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling compressed natural gas or liquefied natural gas at retail.**

**(3) Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection.**

**(4) Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivision (4) or (5) of subsection 1 of section 142.803."; and**

Further amend said bill and said section, by renumbering remaining subsections accordingly; and

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

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

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2141, Page 2, Section 142.803, Line 19, by inserting after the word "**shall**" the word "**be**"; and

Further amend said bill, page, and section, Line 32, by inserting after the word "**shall**" the word "**be**"; and

Further amend said bill, page and section, Line 36, by deleting the word "**compressed**" and inserting in lieu thereof the word "**liquefied**"; and

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

On motion of Representative Schatz, **House Amendment No. 2** was adopted.

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2141, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"135.710. 1. As used in this section, the following terms mean:

(1) "**Alternative fuel vehicle refueling property**", **property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens;**

(2) "Alternative fuels", any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

(a) Ethanol;

(b) Natural gas;

(c) Compressed natural gas, **or CNG;**

(d) Liquefied natural gas, **or LNG;**

(e) Liquefied petroleum gas, **or LP gas, propane, or autogas;**

(f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

[2)] (3) "Department", the department of [natural resources] **economic development;**

(4) "**Electric vehicle recharging property**", **property in this state owned by an eligible applicant and used for recharging electric motor vehicles owned by such eligible applicant or private citizens;**

[3)] (5) "Eligible applicant", a business entity **or private citizen** that is the owner of [a qualified] **an electric vehicle recharging property or an** alternative fuel vehicle refueling property;

(6) "**Qualified Missouri contractor**", **a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years;**

[4)] (7) "Qualified [alternative fuel vehicle refueling] property", [property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens] **an electric vehicle recharging property or an alternative fuel vehicle refueling property** which, if constructed after August 28, [2008] **2014**, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply[;

(5) "Qualified Missouri contractor", a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years].

2. For all tax years beginning on or after January 1, [2009] **2015**, but before January 1, [2012] **2018**, any eligible applicant who installs and operates a qualified [alternative fuel vehicle refueling] property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the [refueling] **qualified** property. The credit allowed in this section per **eligible applicant who is a private citizen shall not exceed fifteen hundred dollars or per** eligible applicant **that is a business entity** shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and



installation of any alternative fuel storage and dispensing equipment **or any recharging equipment** on any qualified [alternative fuel vehicle refueling] property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified [alternative fuel vehicle refueling] property;

(2) Costs associated with the purchase of an existing qualified [alternative fuel vehicle refueling] property;

or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing **or recharging** facilities were placed in service at a qualified [alternative fuel vehicle refueling] property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

(1) In taxable year 2009, three million dollars;

(2) In taxable year 2010, two million dollars; and

(3) In taxable year 2011,] one million dollars **in any calendar year.**

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. [An alternative fuel vehicle refueling] **Any qualified** property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel **or recharge electric vehicles** shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the [alternative fuel vehicle refueling] **qualified** property ceased to sell alternative fuel **or recharge electric vehicles** and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel **or recharging of electric vehicles** ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. [Pursuant to] **The provisions of section 23.253 of the Missouri sunset act notwithstanding:**

(1) The provisions of the new program authorized under this section shall automatically sunset [six] **three** years after [August 28, 2008] **December 31, 2014**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset [twelve] **six** years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; **and**

(4) **The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.**

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation **or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas equipment**, water, and sewage;

(5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

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

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

On motion of Representative Diehl, **HCS HB 2141, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 2141, as amended**, was ordered perfected and printed by the following vote:

AYES: 127

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield

McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Morris
Muntzel	Neely	Neth	Parkinson	Peters
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 023

Carpenter	Curtis	Ellington	Gardner	Hurst
Kirkton	LaFaver	Marshall	McNeil	Meredith
Mitten	Montecillo	Moon	Morgan	Newman
Nichols	Norr	Pierson	Pogue	Schieber
Swearingen	Walton Gray	Wright		

PRESENT: 003

Colona	Otto	Pace
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ABSENT WITH LEAVE: 006

Brattin	Hodges	Jones 50	May	Molendorp
Webber				

VACANCIES: 003

## HOUSE RESOLUTION

**HR 1485**, relating to House Rule 57(a), was taken up by Representative Diehl.

On motion of Representative Diehl, **HR 1485** was adopted by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald

McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morris	Muntzel	Neely	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shumake	Smith
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr. Speaker		

NOES: 003

Gardner	Morgan	Newman
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PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Funderburk	Grisamore	Hodges	May
Molendorp	Neth	Shull		

VACANCIES: 003

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 2002, as amended**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2002, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2003, as amended**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2003, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2004**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2004** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2005**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2006**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2006** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2007**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2008, as amended**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2008, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2009, as amended**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2009, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2010**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2010** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SS SCS HCS HB 2011**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SS SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Roorda made a substitute motion that the House refuse to adopt **SS SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences with regards to accepting federal funds for the purpose of expanding Medicaid eligibility to 138% of poverty.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharmhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris

Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Bahr	Brattin	Davis	Hodges	May
Molendorp	Neth			

VACANCIES: 003

Representative Roorda again moved that the House refuse to adopt **SS SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences with regards to accepting federal; funds for the purpose of expanding Medicaid eligibility to 138% of poverty.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Roorda:

AYES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith	Swearingen
Walton Gray	Webber	Wright		

NOES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris

Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brattin	Hodges	May	Molendorp	Neth
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VACANCIES: 003

Representative Stream again moved that the House refuse to adopt **SS SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2012**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2013**, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

#### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 2141** - Fiscal Review

#### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**HCS SCS SB 492** - Fiscal Review



## COMMITTEE REPORTS

### **Committee on Fiscal Review**, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1898**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SBs 638 & 647**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

### **Committee on Financial Institutions**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 794**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

### **Committee on Health Care Policy**, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 660**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Health Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SB 508**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SCS SB 524**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Insurance Policy**, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SS SB 691**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HJR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1815**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Professional Registration and Licensing**, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 717**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 809**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Special Standing Committee on Corrections**, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **SB 674**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Special Standing Committee on Emerging Issues in Health Care**, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **SS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Special Standing Committee on Small Business**, Chairman Torpey reporting:

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **SCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Utilities**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 734**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 584**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 607**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HJR 68**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads, and the state transportation system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1132**, entitled:

An act to repeal sections 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof three new sections relating to benevolent tax credits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1201**, entitled:

An act to repeal sections 444.772 and 444.773, RSMo, and to enact in lieu thereof two new sections relating to surface mining.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1237**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1238**, entitled:

An act to repeal sections 488.012, 488.426, and 488.607, RSMo, and to enact in lieu thereof four new sections relating to court costs.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1238, Page 5, Section 488.2206, Line 21, by inserting at the end of said line the following: "**land assemblage and purchase**".

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 1238, Page 5, Section 488.2206, Line 28, by inserting after all of said line the following:

**"488.2235. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for**

additional court costs in an amount up to five dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the restoration, maintenance and upkeep of the municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of restoration, maintenance and upkeep of the courthouse.

4. The provisions of this section shall expire August 28, 2021."; and

Further amend said title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1361, as amended**, and grants the House a conference thereon.

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 **SS HB 1361, as amended**. Senators: Parson, Wallingford, Munzlinger, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1439**, entitled:

To repeal sections 1.320, 21.750, 57.015, 57.201, 57.220, 57.250, 544.216, 571.030, 571.080, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof thirty-one new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, Page 75, Section 1, Line 28 of said page, by inserting immediately after "21.750," the following: "**57.015, 57.201, 57.220, 57.250**"; and

Further amend said bill and section, Page 76, Lines 1-2 of said page, by striking all of said lines and inserting in lieu thereof the following:

**"544.216, 571.012, 571.030, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, or 650.350 of this act or the application thereof to"**; and

Further amend said bill and page, Section 2, Line 6 of said page, by inserting immediately after "Section 1" the following: "**of this act**"; and

Further amend Lines 8-10 of said page, by striking all of said lines and inserting in lieu thereof the following:

**"1.440, 1.450, 1.460, 1.470, 1.480, 21.750, 57.015, 57.201, 57.220, 57.250, 160.665, 544.216, 571.012, 571.030, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, or 650.350 of this act."**; and

Further amend said bill and page, Section B, Line 16 of said page, by inserting immediately after "1.480" the following: "of this act".

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1439, Page 28, Section 571.101, Lines 17-18 of said page, by striking all of said lines and inserting in lieu thereof the following:

"carry permit shall be valid [for a period of five years] from the date of issuance or renewal **until five years from the last day of the month in which the**"; and

Further amend Lines 27-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

"endorsement issued prior to August 28, 2013, shall continue [for a period of three years] from the date of issuance or renewal **until three years from the last**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1459**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1710**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2040**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5 to SCS SB 612**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 866**, entitled:

An act to amend chapter 408, RSMo, by adding thereto one new section relating to installment loan lenders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 958**, entitled:

An act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 964**, entitled:

An act to repeal sections 144.010, 262.900, 265.300, 267.565, and 277.020, RSMo, and to enact in lieu thereof five new sections relating to the definition of livestock.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, May 1, 2014.

### **COMMITTEE HEARINGS**

#### **AGRI-BUSINESS**

Thursday, May 1, 2014, Upon Morning Adjournment, House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.

#### **AGRICULTURE POLICY**

Thursday, May 1, 2014, Upon Morning Adjournment, North Gallery.  
Executive session will be held: SB 591  
Executive session may be held on any matter referred to the committee.

#### **DOWNSIZING STATE GOVERNMENT**

Thursday, May 1, 2014, 9:00 AM, House Hearing Room 4.  
Executive session will be held: SS SB 575, HB 1381  
Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Thursday, May 1, 2014, 8:30 AM, House Hearing Room 2.  
Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Monday, May 5, 2014, 12:00 PM, House Hearing Room 2.  
Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Tuesday, May 6, 2014, 8:30 AM, House Hearing Room 2.  
Executive session may be held on any matter referred to the committee.

#### **FISCAL REVIEW**

Wednesday, May 7, 2014, 8:30 AM, House Hearing Room 2.  
Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Thursday, May 8, 2014, 8:30 AM, House Hearing Room 2.  
Executive session may be held on any matter referred to the committee.

#### GENERAL LAWS

Thursday, May 1, 2014, 8:30 AM, House Hearing Room 3.  
Public hearing will be held: HB 2032, HB 2186  
Executive session may be held on any matter referred to the committee.

#### HEALTH INSURANCE

Tuesday, May 6, 2014, Upon Morning Recess, House Hearing Room 5.  
Public hearing will be held: SS SB 498  
Executive session will be held: SS SB 498  
Executive session may be held on any matter referred to the committee.

#### INSURANCE POLICY

Monday, May 5, 2014, Upon Evening Adjournment, House Hearing Room 1.  
Public hearing will be held: SS SB 692, SS SB 884  
Executive session may be held on any matter referred to the committee.

#### LOCAL GOVERNMENT

Thursday, May 1, 2014, 8:00 AM, House Hearing Room 5.  
Public hearing will be held: SCS SB 896, HB 2109  
Executive session may be held on any matter referred to the committee.

#### RETIREMENT

Thursday, May 1, 2014, 9:00 AM, House Hearing Room 1.  
Public hearing will be held: HB 2105  
Executive session may be held on any matter referred to the committee.

#### RULES

Thursday, May 1, 2014, Upon Morning Adjournment, South Gallery.  
Executive session will be held: HCS HB 1226, HCS HB 1257, HB 1607, HCS HB 1640, HCS HB 1846, HCS HB 1895, HCS HBs 2083 & 2144, HB 2136, HB 2180, HCS HB 1171, HCS SB 499, SB 527, SCS SB 635, HCS SB 773, SS SB 782, SCS SB 735, SB 734, SCS SBs 638 & 647, SCS SB 729, SCR 17  
Executive session may be held on any matter referred to the committee.  
Committee may take action on any bill in its possession.

#### SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Thursday, May 1, 2014, 8:30 AM, House Hearing Room 6.  
Public hearing will be held: SS#2 SB 754  
Executive session may be held on any matter referred to the committee.



TOURISM AND NATURAL RESOURCES

Thursday, May 1, 2014, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SCS SB 642, SCS SB 785

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-FIRST DAY, THURSDAY, MAY 1, 2014

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 62 - Bahr
- 2 HJR 70 - Jones (50)
- 3 HCS HJR 75 - Burlison

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 2021 - Stream

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1821 - Diehl
- 2 HB 1342 - Scharnhorst
- 3 HCS HB 1350 - Richardson
- 4 HCS HB 1116 - Hicks
- 5 HCS HB 1662 - Richardson
- 6 HB 1474 - Brattin
- 7 HCS HB 1967 - Koenig
- 8 HCS#2 HB 1153 - Pace
- 9 HB 1314 - Frederick
- 10 HCS HB 1484 - Korman
- 11 HB 1541 - Hubbard
- 12 HCS HB 1583 - Berry
- 13 HCS HB 1728 - Love
- 14 HB 2070 - Hough
- 15 HCS HB 2078 - Funderburk
- 16 HCS HB 2131 - Elmer
- 17 HB 2155 - Scharnhorst
- 18 HCS HB 1054 - Barnes
- 19 HCS HB 1056 - Johnson
- 20 HCS HB 1183 - Gosen
- 21 HCS HB 1478 - Swan
- 22 HB 1486 - Fitzpatrick
- 23 HB 1543 - Hinson
- 24 HCS HB 1725 - Frederick
- 25 HCS HB 1743 - Funderburk
- 26 HCS HB 1935 - Austin

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- 27 HCS HB 1949 - Thomson
- 28 HCS HB 1990 - Fitzwater
- 29 HB 1993 - Bernskoetter
- 30 HCS HB 2049 - Fitzpatrick
- 31 HB 2099 - Franklin
- 32 HB 1142 - Flanigan
- 33 HB 1152 - Pace
- 34 HCS HB 1200 - Burlison
- 35 HCS HB 1247 - Wood
- 36 HCS HBs 1258 & 1267 - Rowden
- 37 HCS HB 1448 - Cox
- 38 HB 1668 - Allen
- 39 HCS HB 1807 - Solon
- 40 HCS HB 1823 - Berry
- 41 HB 1976 - Spencer
- 42 HB 2053 - Curtman
- 43 HB 2219 - Peters
- 44 HB 1111 - Rowland
- 45 HCS HB 1488 - Bahr
- 46 HCS HB 1492 - Lichtenegger
- 47 HCS HB 1540 - Fitzwater
- 48 HB 1737 - Burlison
- 49 HCS HB 1842 - Frederick
- 50 HCS HB 2209 - Molendorp
- 51 HB 1065 - Grisamore
- 52 HCS HB 1309 - Sommer
- 53 HB 1347 - Haahr
- 54 HCS HB 1364 - Bahr
- 55 HB 1544 - Rowden
- 56 HB 1562 - Kratky
- 57 HCS HB 1634 - Hough
- 58 HCS HB 1639 - Funderburk
- 59 HCS HB 1734 - Fraker
- 60 HCS HB 1845 - Anderson
- 61 HB 1899 - Pfautsch
- 62 HCS HB 2038 - Hicks
- 63 HCS HB 2112 - Gatschenberger
- 64 HCS HB 2188 - Muntzel

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

HCS HB 2020 - Stream

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1770 - Burlison
- 2 HCS HB 2118 - Cox
- 3 HB 2063, (Fiscal Review 4/23/14) - Wieland
- 4 HB 2077 - Stream
- 5 HCS HB 1898 - Bahr
- 6 HB 1157 - Lair
- 7 HB 2163 - Riddle
- 8 HCS HB 2141, (Fiscal Review 4/30/14) - Diehl

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 1568 - Frederick

**SENATE BILLS FOR SECOND READING**

- 1 SS SB 866
- 2 SB 958
- 3 SB 964

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 8 - Richardson
- 2 HCR 16 - Guernsey
- 3 HCR 19 - Gannon
- 4 HCR 27 - May
- 5 HCR 22 - Wieland
- 6 HCR 48 - McGaugh

**SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SCS SJR 36 - Diehl
- 2 SCS SJR 27 - Curtman

**SENATE BILLS FOR THIRD READING**

- 1 SB 652 - Funderburk
- 2 SCS SB 613 - Funderburk
- 3 SB 766 - Mitten
- 4 SS SB 745, (Fiscal Review 4/23/14) - Jones (50)
- 5 SB 628, E.C. - Wilson
- 6 HCS SB 656, E.C. - Jones (50)
- 7 SB 718 - Davis
- 8 HCS SCS SB 723 - Stream
- 9 HCS SCS SB 530 - Lichtenegger
- 10 HCS SB 662 - Koenig

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- 11 HCS SB 693 - Jones (50)
- 12 HCS SB 614 - Cox
- 13 HCS SB 621 - Cox
- 14 SCS SB 639 - Allen
- 15 SS SCS SB 706 - Cox
- 16 SB 719 - Wood
- 17 HCS SB 859, (Fiscal Review 4/29/14) - Jones (50)
- 18 SCS SB 892, (Fiscal Review 4/29/14) - Dugger
- 19 HCS SCS SB 492, (Fiscal Review 4/30/14) - Thomson
- 20 SB 601 - Funderburk
- 21 SS SCS SB 767 - Diehl
- 22 SB 796 - Rhoads
- 23 SB 907 - Flanigan

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1968 - Gosen
- 2 SCS HCS HB 1201 - Engler

**BILLS CARRYING REQUEST MESSAGES**

- 1 SCS SB 612, E.C., HA 1, HA 2, HA 3, HA 4 & HA 5, (req. House recede/grant conf.) - Hoskins
- 2 SCS HCS HB 2002, as amended (request Senate recede/grant conference) - Stream
- 3 SCS HCS HB 2003, as amended (request Senate recede/grant conference) - Stream
- 4 SCS HCS HB 2004, (request Senate recede/grant conference) - Stream
- 5 SCS HCS HB 2005, (request Senate recede/grant conference) - Stream
- 6 SCS HCS HB 2006, (request Senate recede/grant conference) - Stream
- 7 SCS HCS HB 2007, (request Senate recede/grant conference) - Stream
- 8 SCS HCS HB 2008, as amended (request Senate recede/grant conference) - Stream
- 9 SCS HCS HB 2009, as amended (request Senate recede/grant conference) - Stream
- 10 SCS HCS HB 2010, (request Senate recede/grant conference) - Stream
- 11 SS SCS HCS HB 2011, (request Senate recede/grant conference) - Stream
- 12 SCS HCS HB 2012, (request Senate recede/grant conference) - Stream
- 13 SCS HCS HB 2013, (request Senate recede/grant conference) - Stream

**BILLS IN CONFERENCE**

- SS HB 1361, as amended - Gosen

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 29 - Richardson
- 2 SS SCR 36 - Lauer

**HOUSE RESOLUTIONS**

HR 1016 - Curtman