

# JOURNAL OF THE HOUSE

Second Regular Session, 97th GENERAL ASSEMBLY

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SIXTY-SECOND DAY, MONDAY, MAY 5, 2014

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Paul Fitzwater.

Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country.

O Lord our God, Your servant, Moses, led the congregation of Israel in singing "The Lord is my strength and song, and He has become my salvation; This is my God, and I will praise Him; My father's God, and I will extol Him. Who among the gods is like you, O Lord? Who is like You - majestic in holiness, awesome in glory, working wonders?" (Exodus 15:2, 11) Lord, as we enter the last days of the legislative session I pray for each legislator, each staff person, each lobbyist and each guest in this chamber.

May each one of us, O Lord, recall two things: First of all, may we all remember Your command through the songwriter to "Delight yourself also in the Lord and He shall give you the desires of your heart." (Psalm 37:4) We all seek true peace, true contentment, true love and true happiness. May we learn that these desires cannot be found in money, power, prestige, nature, knowledge, or in other people - but only in You. May we seek diligently after You.

Secondly, Lord, may we also pay heed to Your warning of calling what You have called "evil" as "good," and labeling what You have deemed "good" as "evil." (Isaiah 5:20)

May the last few days of session be characterized by humility, truth and righteousness. May we fear You and You alone. Draw each one unto Yourself. We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-first day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2724 through House Resolution No. 2802

**COMMITTEE REPORT**

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 892**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**PERFECTION OF HOUSE JOINT RESOLUTIONS**

**HCS HJR 75**, relating to the Commonsense Obligation to Provide Accountability and Spending Stabilization Act, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HJR 75** was adopted.

On motion of Representative Burlison, **HCS HJR 75** was ordered perfected and printed by the following vote:

AYES: 108

Allen	Anders	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	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	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
Wright	Zerr	Mr. Speaker		

NOES: 041

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	English	Funderburk	Hinson	Hodges
May	Morgan	Peters	Pierson	Schatz

VACANCIES: 004

### THIRD READING OF SENATE BILLS

**SCS SB 639**, relating to mammography reports containing information regarding breast density, was taken up by Representative Allen.

On motion of Representative Allen, **SCS SB 639** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	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

Gardner	Koenig	Marshall	Newman	Pogue
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PRESENT: 000

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ABSENT WITH LEAVE: 011

Barnes	Brattin	Cookson	English	Hinson
Hodges	Leara	May	Morgan	Peters
Schatz				

VACANCIES: 004

Speaker Jones declared the bill passed.

**SCS SB 892**, relating to the presidential primary election date, was taken up by Representative Dugger.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	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	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	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 045

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

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Brattin	Cookson	English	Grisamore
Hinson	Hodges	Hough	Leara	May
Morgan	Peters	Pierson	Scharnhorst	Schatz
Stream				

VACANCIES: 004

On motion of Representative Dugger, **SCS SB 892** was truly agreed to and finally passed by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 10
Conway 104	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	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	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: 047

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

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Brattin	Cookson	English	Hinson
Hodges	Leara	May	Morgan	Peters
Schatz				

VACANCIES: 004

Speaker Jones declared the bill passed.

**SS SCS SB 706**, relating to bad faith assertions of patent infringement, was taken up by Representative Cox.

On motion of Representative Cox, **SS SCS SB 706** was truly agreed to and finally passed by the following vote:

AYES: 143

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
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Frame	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	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: 004

Ellington	Gardner	Marshall	Pace
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PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	English	Franklin	Hinson	Hodges
Leara	Lichtenegger	May	Molendorp	Morgan
Peters	Schatz			

VACANCIES: 004

Speaker Jones declared the bill passed.

**SB 796**, relating to marriage licenses, was taken up by Representative Rhoads.

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

*House Amendment No. 1*

AMEND Senate Bill No. 796, Page 1, in the title, Line 3, by inserting immediately after the word "provision" the phrase ", with an emergency clause"; and

Further amend said bill and said page, Section 451.040, Line 11, by inserting immediately after the word "**incarceration**" the following:

**"or because the applicant has been called or ordered to active military duty out of the state or country";** and

Further amend said page and said section, Line 14, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said section, Page 2, Line 19, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Line 20, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Line 22, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Line 24, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Lines 24-30, by deleting all of said lines and inserting in lieu thereof the following:

**"(e) An attestation signed by the incarcerated or military applicant stating in substantial part that the applicant is unable to appear in the presence of the recording of deeds as a result of the applicant's incarceration or because the applicant has been called or ordered to active military duty out of the state or country, which will be verified by the professional or official who directs the operation of the jail or prison or the military applicant's military officer, or such professional's or official's designee, and acknowledged by a notary public commissioned by the state of Missouri at the time of verification. However, in the case of an applicant who is called or order to active military duty outside Missouri, acknowledge may be obtained by a notary public who is duly commissioned by a state other than Missouri or by notarial services of a military officer in accordance with the Uniform Code of Military Justice at the time of verification;"**; and

Further amend said page and said section, Line 32, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Line 33, by deleting the phrase "**and proof thereof**"; and

Further amend said page and said section, Line 37, by inserting immediately after the word "**incarcerated**" the words "**or military**"; and

Further amend said page and said section, Line 37, by inserting immediately at the end of said line the following:

**"However, in such case the incarcerated applicant does not have such an identification because the jail or prison to which he or she is confined does not issue an identification with a photo his or her notarized application shall satisfy this requirement."**; and

Further amend said bill and said section, Page 3, Line 54, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to protect and uphold the sanctity of marriage, the enactment of section 451.040 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and the enactment of section 451.040 is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 451.040 shall be in full force and effect upon its passage and approval."; and

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

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

Speaker Pro Tem Hoskins assumed the Chair.

On motion of Representative Rhoads, **SB 796, as amended**, was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	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	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt

Remole	Rhoads	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
Wood	Wright	Zerr	Mr. Speaker	

NOES: 003

Marshall	Pogue	Wilson
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PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Cookson	Cross	English	Grisamore
Hinson	Hodges	Leara	May	Morgan
Peters	Richardson			

VACANCIES: 004

Speaker Pro Tem Hoskins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brown	Burns
Carpenter	Cierpiot	Conway 10	Conway 104	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hansen	Harris	Hicks	Higdon
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna
Messenger	Miller	Mims	Moon	Morris
Muntzel	Neely	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wieland
Wood	Wright	Zerr	Mr. Speaker	

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NOES: 026

Berry	Burlison	Butler	Colona	Ellington
Gardner	Hampton	Hummel	Kirkton	LaFaver
Marshall	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mitten	Montecillo	Neth	Newman
Pierson	Pogue	Rizzo	Schupp	Webber
Wilson				

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Cookson	Cross	Diehl	English
Haefner	Hinson	Hodges	Leara	May
Molendorp	Morgan	Peters	Remole	

VACANCIES: 004

**HCS SB 859**, relating to agriculture, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HCS SB 859** was adopted.

On motion of Representative Reiboldt, **HCS SB 859** was read the third time and passed by the following vote:

AYES: 137

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

NOES: 010

Bahr	Curtman	Fitzpatrick	Kirkton	Koenig
Marshall	Mitten	Pogue	Schieber	White

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Colona	English	Hinson	Hodges
Hubbard	LaFaver	Leara	May	Morgan
Peters	Stream			

VACANCIES: 004

Speaker Pro Tem Hoskins declared the bill passed.

**SB 719**, relating to school purchases, was taken up by Representative Wood.

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

*House Amendment No. 1*

AMEND Senate Bill No. 719, Page 3, Section 105.454, Line 59, by deleting the word "**thereof**"; and

Further amending said bill, page, and section, Line 62, by deleting the word "**dependant**" and inserting in lieu thereof the following:

"**dependent**"; and

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

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 719, Page 3, Section 171.181, Line 14, 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. 2** was adopted.

On motion of Representative Wood, **SB 719, as amended**, was read the third time and passed by the following vote:

AYES: 142

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	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	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	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	Meredith
Messenger	Miller	Mims	Molendorp	Montecillo

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Moon	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr. Speaker			

NOES: 009

Frame	Gardner	Kirkton	Kratky	McNeil
Mitten	Newman	Pogue	Schupp	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	English	Grisamore	Hodges	Leara
May	Morgan	Peters		

VACANCIES: 004

Speaker Pro Tem Hoskins declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496**, the objections of the Governor thereto notwithstanding.

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 attached is a certified copy of the Roll Call on **Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill Nos. 509 & 496**.

AYES: 023

Brown	Cunningham	Dempsey	Dixon	Emery
Kehoe	Kraus	Lager	Lamping	Libla
Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Wasson		

NOES: 008

Curls	Holsman	Justus	Keaveny	LeVota
Nasheed	Sifton	Walsh		

ABSENT: 000

ABSENT WITH LEAVE: 001

Chappelle-Nadal

VACANCIES: 002

### **SENATE BILLS VETOED DURING THE SECOND REGULAR SESSION**

The Speaker Pro Tem read the following Senate Bill vetoed during the Second Regular Session: **SS#3 SCS SBs 509 & 496**.

**SS#3 SCS SBs 509 & 496**, relating to income taxes, was taken up by Representative Koenig.

Representative Koenig moved that **SS#3 SCS SBs 509 & 496** be passed, the objections of the Governor thereto notwithstanding.

**SS#3 SCS SBs 509 & 496, with motion to override the Governor's veto, pending,** was laid over.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HCS HJR 75** - Fiscal Review

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SBs 638 & 647** - Fiscal Review

**HCS SB 727** - Fiscal Review

### **COMMITTEE REPORTS**

**Committee on Agriculture Policy**, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SB 591**, 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 Financial Institutions**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SB 866**, 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 Tourism and Natural Resources**, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCS SB 785**, 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 Workforce Development and Workplace Safety**, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 844**, 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 Rules**, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2105**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 508**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 623**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 664**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 841**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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 **HCS HB 1090**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1092**, entitled:

An act to repeal sections 210.145, 210.152, 210.183, and 334.950, RSMo, and to enact in lieu thereof four new sections relating to child abuse investigations, with an existing penalty provision.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1092, Page 1, Section Title, Line 3, by striking "child abuse investigations" and inserting in lieu thereof the following:

"child protection"; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after said line the following:

"21.771. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Child Abuse and Neglect" to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) Make a continuing study and analysis of the state child abuse and neglect reporting and investigation system;

(2) Devise a plan for improving the structured decision making regarding the removal of a child from a home;

(3) Determine the additional personnel and resources necessary to adequately protect the children of this state and improve their welfare and the welfare of families;

(4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state;

(5) Determine from its study and analysis the need for changes in statutory law; [and]

(6) Make any other recommendation to the general assembly necessary to provide adequate protections for the children of our state; **and**

**(7) Make recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, children's division, the juvenile officer, the guardian ad litem, and the foster parents.**

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least quarterly. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The provisions of this section shall expire on January 15, 2018.

37.710. 1. The office shall have access to the following information:

(1) The names and physical location of all children in protective services, treatment, or other programs under the jurisdiction of the children's division, the department of mental health, and the juvenile court;

(2) All written reports of child abuse and neglect; and

(3) All current records required to be maintained pursuant to chapters 210 and 211.

2. The office shall have the authority:

(1) To communicate privately by any means possible with any child under protective services and anyone working with the child, including the family, relatives, courts, employees of the department of social services and the department of mental health, and other persons or entities providing treatment and services;

(2) To have access, including the right to inspect, copy and subpoena records held by the clerk of the juvenile or family court, juvenile officers, law enforcement agencies, institutions, public or private, and other agencies, or persons with whom a particular child has been either voluntarily or otherwise placed for care, or has received treatment within this state or in another state;

(3) To work in conjunction with juvenile officers and guardians ad litem;

(4) To file any findings or reports of the child advocate regarding the parent or child with the court, and issue recommendations regarding the disposition of an investigation, which may be provided to the court and to the investigating agency;

(5) To file amicus curiae briefs on behalf of the interests of the parent or child, **or to file such pleadings necessary to intervene on behalf of the child at the appropriate judicial level using the resources of the office of the attorney general;**

(6) To initiate meetings with the department of social services, the department of mental health, the juvenile court, and juvenile officers;

(7) To take whatever steps are appropriate to see that persons are made aware of the services of the child advocate's office, its purpose, and how it can be contacted;

(8) To apply for and accept grants, gifts, and bequests of funds from other states, federal, and interstate agencies, and independent authorities, private firms, individuals, and foundations to carry out his or her duties and responsibilities. The funds shall be deposited in a dedicated account established within the office to permit moneys to be expended in accordance with the provisions of the grant or bequest;

(9) Subject to appropriation, to establish as needed local panels on a regional or county basis to adequately and efficiently carry out the functions and duties of the office, and address complaints in a timely manner; and

(10) To mediate between alleged victims of sexual misconduct and school districts or charter schools as provided in subsection 1 of section 160.262.

3. For any information obtained from a state agency or entity under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of child advocate. For information obtained directly by the office of child advocate under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the children's division regarding information obtained during a child abuse and neglect investigation resulting in an unsubstantiated report."; and

Further amend said bill, Page 11, Section 210.152, Line 109, by inserting immediately after said line the following:

"210.160. 1. In every case involving an abused or neglected child which results in a judicial proceeding, the judge shall appoint a guardian ad litem to appear for and represent:

(1) A child who is the subject of proceedings pursuant to sections 210.110 to 210.165 **except proceedings under subsection 6 of section 210.152**, sections 210.700 to 210.760, sections 211.442 to 211.487, or sections 453.005 to 453.170, or proceedings to determine custody or visitation rights under sections 452.375 to 452.410; or

(2) A parent who is a minor, or who is a mentally ill person or otherwise incompetent, and whose child is the subject of proceedings under sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, or sections 453.005 to 453.170.

**2. The judge, either sua sponte or upon motion of a party, may appoint a guardian ad litem to appear for and represent an abused or neglected child involved in proceedings arising under subsection 6 of section 210.152.**

[2.] **3.** The guardian ad litem shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon appointment by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Employees of the division, officers of the court, and employees of any agency involved shall fully inform the guardian ad litem of all aspects of the case of which they have knowledge or belief.

[3.] **4.** The appointing judge shall require the guardian ad litem to faithfully discharge such guardian ad litem's duties, and upon failure to do so shall discharge such guardian ad litem and appoint another. The appointing judge shall have the authority to examine the general and criminal background of persons appointed as guardians ad litem, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are appointed to represent. The judge in making appointments pursuant to this section shall give preference to persons who served as guardian ad litem for the child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

[4.] **5.** The guardian ad litem may be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. However, no fees as a judgment shall be taxed against a party or parties who have not been found to have abused or neglected a child or children. Such an award of guardian fees shall constitute a final judgment in favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in accordance with chapter 513.

[5.] **6.** The court may designate volunteer advocates, who may or may not be attorneys licensed to practice law, to assist in the performance of the guardian ad litem duties for the court. Nonattorney volunteer advocates shall not provide legal representation. The court shall have the authority to examine the general and criminal background of persons designated as volunteer advocates, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are designated to represent. The volunteer advocate shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon designation by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Any such designated person shall receive no compensation from public funds. This shall not preclude reimbursement for reasonable expenses.

[6.] **7.** Any person appointed to perform guardian ad litem duties shall have completed a training program in permanency planning and shall advocate for timely court hearings whenever possible to attain permanency for a child as expeditiously as possible to reduce the effects that prolonged foster care may have on a child. A nonattorney volunteer advocate shall have access to a court appointed attorney guardian ad litem should the circumstances of the particular case so require."; and

Further amend said bill, Page 14, Section 334.950, Line 50, by inserting immediately after said line the following:

"431.056. **1.** A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account, admission to a shelter for victims of domestic violence, as defined in section 455.200, or a homeless shelter, and receipt of services as a victim of domestic [and] **violence or sexual [violence] abuse**, including but not limited to counseling, court advocacy, financial assistance, and other advocacy services, if:

- (1) The minor is sixteen or seventeen years of age; and
- (2) The minor is homeless, as defined in subsection 1 of section 167.020, or a victim of domestic violence, as defined in section 455.200, unless the child is under the supervision of the children's division or the jurisdiction of the juvenile court; and
- (3) The minor is self-supporting, such that the minor is without the physical or financial support of a parent or legal guardian; and
- (4) The minor's parent or legal guardian has consented to the minor living independent of the parents' or guardians' control. Consent may be expressed or implied, such that:
  - (a) Expressed consent is any verbal or written statement made by the parents or guardian of the minor displaying approval or agreement that the minor may live independently of the parent's or guardian's control;
  - (b) Implied consent is any action made by the parent or guardian of the minor that indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such actions may include, but are not limited to:
    - a. Barring the minor from the home or otherwise indicating that the minor is not welcome to stay;
    - b. Refusing to provide any or all financial support for the minor; or
    - c. Abusing or neglecting the minor, as defined in section 210.110 **or committing an act or acts of domestic violence against the minor, as defined in section 455.010.**

**2. A minor who is sixteen years of age or older and who is in the legal custody of the children's division pursuant to an order of a court of competent jurisdiction shall be qualified and competent to contract for the purchase of automobile insurance with the consent of the children's division or the juvenile court. The minor shall be responsible for paying the costs of the insurance premiums and shall be liable for damages caused by his or her negligent operation of a motor vehicle. No state department, foster parent, or entity providing case management of children on behalf of a department shall be responsible for paying any insurance premiums nor liable for any damages of any kind as a result of the operation of a motor vehicle by the minor.**

**Section 1. A foster parent shall have standing to participate in all court hearings pertaining to a child in their care.";** and

Further amend the 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 has taken up and passed **SCS HB 1190**, entitled:

An act to repeal sections 143.041, 143.071, 143.191, 144.610, 285.230, 285.232, 285.233, 285.234, and 304.180, RSMo, and to enact in lieu thereof thirteen new sections relating to facilitating rapid response to disasters, with an existing penalty provision.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1190, Page 7, Section 190.285, Line 28, by inserting after all of said line the following:

**"190.286. The provisions of sections 190.270 to 190.285 shall not grant exemptions authorized by the facilitating business rapid response to state declared disasters act to any out of state business performing work pursuant to a request for bid or request for proposal by a state agency or political subdivision.";** and

Further amend the 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 has taken up and passed **SCS HCS HRB 1299**, entitled:

An act to repeal sections 3.070, 8.700, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 36.030, 37.005, 37.010, 37.020, 37.110, 43.251, 64.090, 89.020, 135.326, 135.335, 135.339, 143.782, 143.790, 143.1002, 160.545, 160.700, 161.418, 161.424, 167.034, 167.122, 167.123, 169.520, 172.875, 181.110, 186.019, 189.095, 191.737, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.601, 192.935, 193.075, 193.215, 196.1103, 197.312, 197.318, 197.367, 198.018, 198.026, 198.029, 198.077, 198.080, 198.087, 198.090, 198.189, 198.421, 198.428, 198.510, 198.515, 199.025, 205.960, 205.961, 205.962, 205.964, 205.965, 207.010, 207.020, 207.030, 207.070, 207.080, 208.015, 208.030, 208.041, 208.042, 208.047, 208.050, 208.060, 208.070, 208.072, 208.075, 208.080, 208.100, 208.120, 208.125, 208.130, 208.145, 208.150, 208.152, 208.154, 208.157, 208.168, 208.175, 208.176, 208.180, 208.182, 208.190, 208.204, 208.210, 208.217, 208.225, 208.300, 208.325, 208.337, 208.345, 208.400, 208.405, 208.471, 208.477, 208.533, 208.606, 208.609, 208.621, 208.636, 208.780, 209.010, 209.020, 209.030, 209.050, 209.060, 209.070, 209.080, 209.090, 209.100, 209.110, 209.240, 209.251, 210.001, 210.115, 210.165, 210.166, 210.167, 210.192, 210.196, 210.254, 210.481, 210.536, 210.537, 210.543, 210.545, 210.551, 210.560, 210.720, 210.829, 210.830, 210.834, 210.843, 210.846, 210.870, 210.900, 210.950, 211.081, 211.180, 211.183, 211.455, 211.477, 217.575, 226.008, 226.805, 251.100, 251.240, 253.320, 261.010, 285.300, 288.220, 288.270, 301.020, 302.133, 302.134, 302.135, 302.137, 302.171, 302.178, 311.650, 313.210, 320.260, 324.032, 334.125, 338.314, 361.010, 376.819, 452.345, 452.346, 452.347, 452.350, 452.370, 452.416, 453.005, 453.014, 453.015, 453.026, 453.065, 453.070, 453.074, 453.077, 453.102, 453.110, 453.400, 454.400, 454.403, 454.405, 454.408, 454.415, 454.420, 454.425, 454.430, 454.432, 454.433, 454.435, 454.440, 454.445, 454.450, 454.455, 454.460, 454.465, 454.472, 454.478, 454.490, 454.495, 454.496, 454.500, 454.505, 454.513, 454.530, 454.531, 454.565, 454.600, 454.700, 454.853, 454.902, 454.1000, 454.1003, 454.1023, 454.1027, 454.1029, 483.163, 487.080, 487.150, 513.430, 516.350, 577.608, 590.040, 595.030, 595.036, 595.037, 595.060, 610.029, 610.120, 620.010, 620.483, 620.490, 620.556, 620.558, 620.560, 620.562, 620.566, 620.570, 620.572, 620.1100, 620.1580, 630.097, 632.070, 650.005, 660.010, 660.050, 660.053, 660.054, 660.055, 660.057, 660.058, 660.060, 660.062, 660.067, 660.069, 660.070, 660.075, 660.130, 660.225, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, 660.400, 660.403, 660.405, 660.407, 660.409, 660.411, 660.414, 660.416, 660.418, 660.420, 660.523, 660.525, 660.526, 660.600, 660.603, 660.605, 660.608, 660.620, 660.690, and 701.336, RSMo, and to enact in lieu thereof three hundred thirty-seven new sections for the sole purpose of codifying previous executive branch reorganizations, with penalty provisions.

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 1631**, entitled:

An act to amend chapter 643, RSMo, by adding thereto one new section relating to the air conservation commission.

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 1779**, entitled:

An act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

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 1791**, entitled:

An act to authorize the governor to convey property owned by the state.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1791, Page 17, Section 18, Line 31, by inserting after all of said line the following:

**"Section 19. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property located the City of St. Joseph, Buchanan County, Missouri, described as follows:**

**Tract 1**

**That part of the northwest quarter of section thirty-four (34), Township fifty-eight (58) north, range thirty-five (35) west, described as follows: Beginning at a point three hundred sixty-six and nine hundredths (366.9) feet north of the center of said Section thirty-four (34), thence north one hundred forty-and seventy-one hundredths (140.71) feet, thence west twenty-six and seventeen hundredths (26.17) feet, thence southeasterly on a curve to the left having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet, one hundred forty-three and forty-four hundredths (143.44) feet to the point of beginning and containing forty-three thousandths (0.043) of an acre.**

**Also beginning at a point six hundred eighty-five and sixty-one hundredths (685.61) feet north of the center of said Section thirty-four (34), thence north three hundred twenty and twenty-eight hundredths (320.28) feet to present right of way line of State highway Route 4, thence southwesterly along said right of way line one hundred eighty and one hundred sixty-two thousandths (180.162) feet, thence east fifty-seven and fifty-nine hundredths (57.59) feet, thence south fifty-three and eight hundredths (53.08) feet, thence southerly to the left on a curve having a radius of one thousand nine hundred fifty and eight hundredths (1950.08) feet, one hundred nineteen and eight-five hundredths (119.85) feet to a point thirty-nine and twenty-seven hundredths (39.27) west of point of beginning, thence east thirty-nine and twenty-seven hundredths (39.27) feet to point of beginning and containing three hundred twenty-four thousandths (0.324) of an acre.**

**Tract 2**

**That part of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, more particularly described as**

**Tract #1, being bounded by a line beginning at a point which is two hundred sixty-two and four tenths (262.4) feet north of the center of said Section thirty-four (34), thence west five (5) feet, thence northwesterly to right on the arc of a curve having a radius of one thousand nine hundred eighty-five and eight hundredths (1985.08) feet and extending a distance of two hundred fifty and thirty-seven hundredths (250.37) feet, thence east thirty and thirty-six hundredths (30.36) feet to the westerly right of way line of existing highway, thence southeasterly to left on the arc of a curve having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet and extending a distance of one hundred forty-three and forty-four hundredths (143.44) feet, thence south one hundred three and sixty-nine hundredths (103.69) feet to said point of beginning.**

Tract #1A, being bounded by a line beginning at a point which is five hundred six and eight tenths (506.8) feet north and one hundred sixty-five and fifty-four hundredths (165.54) feet west of the center of said Section thirty-four (34), thence west one hundred thirty-one and nine hundredths (131.09) feet to the easterly right of way line of City Route U.S. 71, thence southwesterly along said right of way line two hundred seventy-nine and seventy-eight hundredths (279.78) feet to grantor's south property line, thence east forty-five and sixty-three hundredths (45.63) feet, thence northeasterly to right on the arc of a curve having a radius of nine hundred and thirty-seven hundredths (900.37) feet and extending a distance of three hundred thirty-one and eighty-two hundredths (331.82) feet to said point of beginning.

Said Tracts #1 and 1A are for right of way for State Highway Route U.S. 71 and contain fifty-six hundredths (0.56) of an acre.

**Tract 3**

That part of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, described as follows:

Beginning at a point five hundred six and eight tenths (506.8) feet north of the center of said Section thirty-four (34), thence north sixty-nine and seven tenths (69.7) feet, thence west thirty-five and twenty-two hundredths (35.22) feet, thence southeasterly on a curve to the left having a radius of one thousand nine hundred fifty-five and eight hundredths (1955.08) feet, seventy and thirty-nine hundredths (70.39) feet to a point twenty-six and seventeen hundredths (26.17) feet west of the point of beginning, thence east twenty-six and seventeen hundredths (26.17) feet to point of beginning and containing forty-nine thousandths (0.049) of an acre.

Said tract of land being for right of way for said Highway.

**Tract 4**

Beginning at a point five hundred seventy-six and five tenths (576.5) feet north of the southeast corner of the northwest quarter of Section thirty-four (34), Township fifty-eight (58) north, Range thirty-five (35) west, thence west two hundred ninety-two and sixty-nine hundredths (292.69) feet to the centerline of U.S. Highway No. 71, thence southwesterly seventy-nine and eighty-five hundredths (79.85) feet along the centerline of said highway, thence east three hundred thirty-two and forty-one hundredths (332.41) feet to the east line of said northwest quarter section, thence north sixty-nine and seven tenths (69.7) feet to the point of beginning.

Said tract is for right of way for State Highway Route U.S. 71 and contains thirty-nine hundredths (0.39) of an acre.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 1791, Page 17, Section 18, Line 31, by inserting after all of said line the following:

"Section B. Because of the need to expedite the conveyance of land in Greene County, the enactment of section 18 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 18 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title accordingly.

Emergency clause adopted.

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 Conferees on **SS SCS HCS HB 2011** are allowed to exceed the differences in Section 11.440.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1361**

The Conference Committee appointed on Senate Substitute for House Bill No. 1361, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 1361, as amended;
2. That the House recede from its position on House Bill No. 1361;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 1361, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Don Gosen  
/s/ Paul Wieland  
/s/ Gina Mitten

FOR THE SENATE:

/s/ Mike Parson  
/s/ Wayne Wallingford  
/s/ Brian Munzlinger  
/s/ Shalonn "KiKi" Curls  
/s/ Gina Walsh

The following member's presence was noted: English.

## **ADJOURNMENT**

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, May 6, 2014.

## **COMMITTEE HEARINGS**

### **ADMINISTRATION AND ACCOUNTS**

Thursday, May 8, 2014, 9:00 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Discussing the following: House policy amendments regarding appropriations and standardizing offices (attachments to follow).

### **CONFERENCE COMMITTEE**

Tuesday, May 6, 2014, 8:30 AM, Senate Lounge.

Executive session may be held on any matter referred to the committee.

Conference Committee meeting on HBs 2002-2013.

### **ELECTIONS**

Tuesday, May 6, 2014, 8:15 AM, House Hearing Room 5.

Public hearing will be held: SB 708

Executive session will be held: SB 631

Executive session may be held on any matter referred to the committee.

### **FISCAL REVIEW**

Tuesday, May 6, 2014, 8:00 AM, House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

CANCELLED

### **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**

Tuesday, May 6, 2014, 12:00 PM, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Hearing will be an executive session.

#### GENERAL LAWS

Tuesday, May 6, 2014, 4:30 PM or Upon Adjournment, whichever is later, House Hearing Room 3.

Public hearing will be held: SB 992

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.

CANCELLED

#### INSURANCE POLICY

Tuesday, May 6, 2014, Upon Evening Adjournment, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Executive session will be convened.

#### JOINT COMMITTEE ON EDUCATION

Wednesday, May 7, 2014, 8:30 AM, House Hearing Room 3.

Agenda: Election of chair and vice-chair, recognition of outgoing members, and discussion of interim projects.

#### JUDICIARY

Wednesday, May 7, 2014, 12:00 PM or immediately Upon Morning Recess, House Hearing Room 1.

Public hearing will be held: SB 695

Executive session may be held on any matter referred to the committee.

If the House should work straight through without a morning recess, the committee will meet immediately upon evening recess in House Hearing Room 1.

#### RULES

Tuesday, May 6, 2014, 5:20 PM or Upon Evening Adjournment, whichever is later, South Gallery.

Executive session will be held: SB 674, HCS SCS SB 852, HCS SCS SB 809, HCS SB 607, HCS SB 794, HCS SB 584, SCR 34, HCS SB 591

Executive session may be held on any matter referred to the committee.

Committee will take action on any bills in its possession.

AMENDED

#### SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Thursday, May 8, 2014, 9:15 AM, House Hearing Room 3.

Executive session will be held: SCS SB 777

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, May 6, 2014, Upon Morning Recess, House Hearing Room 7.

Public hearing will be held: SB 818

Executive session will be held: SB 818

Executive session may be held on any matter referred to the committee.

**WAYS AND MEANS**

Tuesday, May 6, 2014, 9:00 AM, House Hearing Room 7.

Public hearing will be held: SS SB 860, SB 958, SB 842, SCS SB 829

Executive session will be held: SS SB 860, SB 958

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

SIXTY-THIRD DAY, TUESDAY, MAY 6, 2014

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 62 - Bahr
- 2 HJR 70 - Jones (50)

**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

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- 25 HCS HB 1743 - Funderburk
- 26 HCS HB 1935 - Austin
- 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
- 65 HB 1188 - Elmer
- 66 HCS HB 1257 - Wilson
- 67 HCS HB 1344 - Gosen

- 68 HB 1548 - McGaugh
- 69 HCS HB 1640 - Reiboldt
- 70 HCS HB 1894 - Frederick
- 71 HB 2136 - Austin
- 72 HCS HB 2272 - Jones (50)

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1770 - Burlison
- 2 HCS HB 2118 - Cox
- 3 HB 2063 - Wieland
- 4 HB 2077 - Stream

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 1568 - Frederick

**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 SB 662 - Koenig
- 10 HCS SB 693 - Jones (50)
- 11 HCS SB 614 - Cox
- 12 HCS SB 621 - Cox
- 13 HCS SCS SB 492 - Thomson
- 14 SB 601 - Funderburk

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- 15 SS SCS SB 767 - Diehl
- 16 SB 907 - Flanigan
- 17 HCS SB 504 - Rowden
- 18 HCS SCS SB 567 - Swan
- 19 HCS SB 615 - Austin
- 20 SCS SBS 638 & 647, (Fiscal Review 5/5/14) - Engler
- 21 HCS SB 727, (Fiscal Review 5/5/14) - Johnson
- 22 HCS SB 773, E.C. - Spencer
- 23 SS SB 782 - Funderburk

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1968 - Gosen
- 2 SCS HCS HB 1201 - Engler
- 3 SCS HB 1238, as amended - Hinson
- 4 SS SCS HCS HB 1439, as amended, E.C. - Funderburk
- 5 SS SCS HB 1490, as amended, E.C. - Bahr

**BILLS CARRYING REQUEST MESSAGES**

- 1 SCS SB 612, HA 1, HA 2, HA 3, HA 4 & HA 5, E.C. (req. House recede/grant conf.) - Hoskins
- 2 HCS SCS SBS 493, 485, 495, 516, 534, 545, 595, 616, & 624, as amended, E.C. (request House recede/grant conference) - Stream
- 3 HCS SCS SB 672, as amended, (request House recede/grant conference) - Jones (50)
- 4 HCS SCS SB 716, as amended, (request House recede/grant conference) - Scharnhorst

**BILLS IN CONFERENCE**

- 1 CCR SS HB 1361, as amended - Gosen
- 2 SCS HCS HB 2002, as amended - Stream
- 3 SCS HCS HB 2003, as amended - Stream
- 4 SCS HCS HB 2004 - Stream
- 5 SCS HCS HB 2005 - Stream
- 6 SCS HCS HB 2006 - Stream
- 7 SCS HCS HB 2007 - Stream
- 8 SCS HCS HB 2008, as amended - Stream
- 9 SCS HCS HB 2009, as amended - Stream
- 10 SCS HCS HB 2010 - Stream
- 11 SS SCS HCS HB 2011, (Senate exceed the differences) - Stream
- 12 SCS HCS HB 2012 - Stream
- 13 SCS HCS HB 2013 - Stream

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 29 - Richardson
- 2 SS SCR 36 - Lauer

**HOUSE RESOLUTIONS**

HR 1016 - Curtman

**SENATE BILLS VETOED FROM SECOND REGULAR SESSION**

SS#3 SCS SBS 509 & 496, motion to override, pending - Koenig