

# JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

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SIXTY-THIRD DAY, TUESDAY, MAY 3, 2016

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*I urge that supplications, prayers, intercessions, and thanksgivings be made for all men. (1 Timothy 2:1)*

Almighty God, Our Heavenly Creator, who is with us now, make us wise in our legislative endeavors as we seek to cultivate justice, peace, and cooperation in the hearts of all citizens.

Make plain Your path, help us to see it now and then give us courage and humility to walk in it knowing that You are with us forever.

In this election time save us from the hot fever of foolish actions and from the cold fear which would make futile any activity on our part. May Your spirit live in us and in so doing lead us to a life together where we may live with dignity, self-respect, and maturity.

Bless our firefighters, bless the men and women who support them and their families, may their brave contributions and ours be a blessing to all Missourians.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

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

## HOUSE RESOLUTIONS

Representative Barnes offered House Resolution No. 3225.

## SECOND READING OF SENATE BILL

The following Senate Bill was read the second time:

**SS SCS SB 663**, relating to the administration of justice.

## SIGNING OF HOUSE BILL

Having been duly signed in open session of the Senate, **HB 1763** was delivered to the Governor by the Chief Clerk of the House.

**THIRD READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 66**, relating to meningococcal vaccines, was taken up by Representative Hubrecht.

On motion of Representative Hubrecht, **HCR 66** was read the third time and passed by the following vote:

AYES: 143

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kendrick
Kidd	King	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch
Mathews	May	McCaherty	McCann Beatty	McCreery
McDonald	McGaugh	McGee	McNeil	Meredith
Messenger	Miller	Mims	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor 139	Taylor 145	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 003

Marshall	McDaniel	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 016

Black	Colona	Cornejo	Curtis	Ellington
Gardner	Hinson	Hoskins	Hough	Hummel
LaFaver	Mitten	Pietzman	Smith	Spencer
Vescovo				

VACANCIES: 001

Speaker Richardson declared the bill passed.

**THIRD READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 66**, relating to the University of Missouri System, was taken up by Representative Rowden.

On motion of Representative Rowden, **SCR 66** was truly agreed to and finally passed by the following vote:

AYES: 106

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Hicks	Higdon
Hill	Hinson	Hough	Houghton	Hubrecht
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McGaugh	Miller
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Walker
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 047

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Dunn	English
Green	Harris	Hubbard	Hurst	Kendrick
Kirkton	Kratky	Lavender	Marshall	May
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Messenger	Mims	Mitten
Montecillo	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Rone	Rowland 29	Runions
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Curtis	Ellington	Gardner	Hoskins
Hummel	LaFaver	Smith	Vescovo	

VACANCIES: 001

Speaker Richardson declared the bill passed.

**VETOED SENATE BILLS**

The Speaker read the following Senate Concurrent Resolution vetoed from the Second Regular Session: **SCR 46**.

Representative Barnes moved that **SCR 46**, relating to disapproval of the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range, be passed, the objections of the Governor thereto notwithstanding.

Representative Engler assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Hicks
Higdon	Hill	Hinson	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus
Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 041

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Green	Harris	Hubbard	Kendrick	Kirkton
Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Rowland 29	Runions	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Ellington	Gardner	Hoskins	Hummel
Lichtenegger	Smith	Vescovo		

VACANCIES: 001

Speaker Richardson resumed the Chair.

On motion of Representative Barnes, **SCR 46**, passed by the following vote, the objections of the Governor thereto notwithstanding:

AYES: 119

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McCreery
McDaniel	McGaugh	Messenger	Miller	Montecillo
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 036

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Dunn	Green
Hubbard	Kendrick	Kratky	LaFaver	Lavender
May	McCann Beatty	McDonald	McGee	McNeil
Meredith	Mims	Mitten	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Rowland 29	Runions	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Black	Ellington	Gardner	Hoskins	Hummel
Smith	Vescovo			

VACANCIES: 001

### THIRD READING OF SENATE BILLS

**SB 988**, relating to medical helicopters, was taken up by Representative Frederick.

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

*House Amendment No. 1*

AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words "medical helicopters, with an emergency clause" and inserting in lieu thereof the words "emergency services, with an emergency clause for a certain section"; and

Further amend said bill and page, Section 190.265, Line 5, by deleting the number "**190.214**" and inserting in lieu thereof the number "**190.241**"; and

Further amend said bill, page and section, Line 18, by inserting after all of said section and line the following:

**"Section 1. The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.";** and

Further amend said bill, Page 2, Section B, Line 2, by deleting the words "section A" and inserting in lieu thereof the words "the enactment of section 190.265 of section A"; and

Further amend said bill, page and section, Line 5, by deleting the words "section A" and inserting in lieu thereof the words "the enactment of section 190.265 of section A"; and

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

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words "medical helicopters" and inserting in lieu thereof the words "emergency services"; and

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

"190.060. 1. An ambulance district shall have the following governmental powers, and all other powers incidental, necessary, convenient or desirable to carry out and effectuate the express powers:

(1) To establish and maintain an ambulance service within its corporate limits, and to acquire for, develop, expand, extend and improve such service;

(2) To acquire land in fee simple, rights in land and easements upon, over or across land and leasehold interests in land and tangible and intangible personal property used or useful for the location, establishment, maintenance, development, expansion, extension or improvement of an ambulance service. The acquisition may be by dedication, purchase, gift, agreement, lease, use or adverse possession;

(3) To operate, maintain and manage the ambulance service, and to make and enter into contracts for the use, operation or management of and to provide rules and regulations for the operation, management or use of the ambulance service;

(4) To fix, charge and collect reasonable fees and compensation for the use of the ambulance service according to the rules and regulations prescribed by the board from time to time;

(5) To borrow money and to issue bonds, notes, certificates, or other evidences of indebtedness for the purpose of accomplishing any of its corporate purposes, subject to compliance with any condition or limitation set forth in sections 190.001 to 190.090 or otherwise provided by the Constitution of the state of Missouri;

(6) To employ or enter into contracts for the employment of any person, firm, or corporation, and for professional services, necessary or desirable for the accomplishment of the objects of the district or the proper administration, management, protection or control of its property;

(7) To maintain the ambulance service for the benefit of the inhabitants of the area comprising the district regardless of race, creed or color, and to adopt such reasonable rules and regulations as may be necessary to render the highest quality of emergency medical care; to exclude from the use of the ambulance service all persons who willfully disregard any of the rules and regulations so established; to extend the privileges and use of the ambulance service to persons residing outside the area of the district upon such terms and conditions as the board of directors prescribes by its rules and regulations;

(8) To provide for health, accident, disability and pension benefits for the salaried members of its organized ambulance district and such other benefits for the members' spouses and minor children, through either, or both, a contributory or noncontributory plan. The type and amount of such benefits shall be determined by the board of directors of the ambulance district within the level of available revenue of the pension program and other available revenue of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the ambulance district elected by the contributing members. The board of trustees shall not be the same as the board of directors;

(9) To purchase insurance indemnifying the district and its employees, officers, volunteers and directors against liability in rendering services incidental to the furnishing of ambulance services. Purchase of insurance pursuant to this section is not intended to waive sovereign immunity, official immunity or the Missouri public duty doctrine defenses; and

(10) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement and other employee-type fringe benefits, subject to the provisions of section 70.615, for the volunteer members of any organized ambulance district and such other benefits for their spouses and eligible unemancipated children, either through a contributory or noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the ambulance district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district.

2. The use of any ambulance service of a district shall be subject to the reasonable regulation and control of the district and upon such reasonable terms and conditions as shall be established by its board of directors.

3. A regulatory ordinance of a district adopted pursuant to any provision of this section may provide for a suspension or revocation of any rights or privileges within the control of the district for a violation of any regulatory ordinance.

4. Nothing in this section or in other provisions of sections 190.001 to 190.245 shall be construed to authorize the district or board to establish or enforce any regulation or rule in respect to the operation or maintenance of the ambulance service within its jurisdiction which is in conflict with any federal or state law or regulation applicable to the same subject matter.

5. After August 28, 1998, the board of directors of an ambulance district that proposes to contract for the total management and operation of the ambulance service, when that ambulance district has not previously contracted out for said service, shall hold a public hearing within a thirty-day period and shall make a finding that the proposed contract to manage and operate the ambulance service will:

- (1) Provide benefits to the public health that outweigh the associated costs;
- (2) Maintain or enhance public access to ambulance service;
- (3) Maintain or improve the public health and promote the continued development of the regional emergency medical services system.

6. (1) Upon a satisfactory finding following the public hearing in subsection 5 of this section and after a sixty-day period, the ambulance district may enter into the proposed contract, however said contract shall not be implemented for at least thirty days.

(2) The provisions of subsection 5 of this section shall not apply to contracts which were executed prior to August 28, 1998, or to the renewal or modification of such contracts or to the signing of a new contract with an ambulance service provider for services that were previously contracted out.

7. All ambulance districts authorized to adopt laws, ordinances, or regulations regarding basic life support ambulances shall require such ambulances to be equipped with an automated external defibrillator and be staffed by at least one individual trained in the use of an automated external defibrillator.

**8. The ambulance district may adopt procedures for conducting fingerprint background checks on current and prospective employees, contractors, and volunteers. The ambulance district may submit applicant fingerprints to the Missouri state highway patrol, Missouri criminal records repository, for the purpose of checking the person's criminal history. The fingerprints shall be used to search the Missouri criminal records repository and shall be submitted to the Federal Bureau of Investigation to be used for searching the federal criminal history files. The fingerprints shall be submitted on forms and in the manner prescribed by the Missouri state highway patrol. Fees shall be as set forth in section 43.530.";** and

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

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

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

*House Amendment No. 3*

AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words "medical helicopters" and inserting in lieu thereof the words "emergency services"; and

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

**"190.257. 1. For the purposes of this section, the term "first responder" shall have the same meaning ascribed to it as in section 190.100.**

**2. Any first responder who in good faith provides emergency care or treatment to a person suffering from an apparent drug or alcohol overdose by the use or provision of restraints shall not be held liable for any civil damages as a result of such care or treatment unless the first responder acts in a willful and wanton or reckless manner in the use or provision of such restraints.";** and

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

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

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

*House Amendment No. 4*

AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2-3, by deleting the words "medical helicopters" and inserting in lieu thereof the word "hospitals"; and

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

**"96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital's funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.**  
**2. The provisions of this section shall only apply if the hospital:**  
**(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and**  
**(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.";** and

Further amend said bill and page, Section 190.265, Line 18, by inserting after all of said section and line the following:

"197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.  
2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.  
3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.  
4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.  
5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.  
6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.  
7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.  
8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.  
9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.  
10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; or

(2) **Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.**"; and

Further amend said bill, Page 2, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the enactment of section 190.265 and the repeal and reenactment of section 197.315 of section A 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 190.265 and the repeal and reenactment of section 197.315 of section A of this act 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.

Representative Rowden offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 4*

AMEND House Amendment No. 4 to Senate Bill No. 988, Page 3, Line 3, by inserting immediately after all of said line the following:

**"furtherance of its research or teaching missions.**

**205.165. 1. The board of trustees of any hospital authorized under subsection 1 of this section and organized under the provisions of sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.**

**2. The provisions of this section shall only apply if the hospital:**

**(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and**

**(2) Receives less than one percent of its annual revenues from county or state taxes."; and"; and**

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

On motion of Representative Rowden, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Jones, **House Amendment No. 4, as amended**, was adopted.

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

*House Amendment No. 5*

AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words "medical helicopters" and inserting in lieu thereof the words "emergency services"; and

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

"190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and pediatric trauma center when a hospital, upon proper application submitted by the hospital and site review, has been found by the department to meet the applicable level of trauma center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185.

2. **Except as provided in subsection 4 of this section**, the department shall designate a hospital as a STEMI or stroke center when such hospital, upon proper application and site review, has been found by the department to meet the applicable level of STEMI or stroke center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. In developing STEMI center and stroke center designation criteria, the department shall use, as it deems practicable, appropriate peer-reviewed or evidence-based research on such topics including, but not limited to, the most recent guidelines of the American College of Cardiology and American Heart Association for STEMI centers, or the Joint Commission's Primary Stroke Center Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center Recommendations as published by the American Stroke Association.

3. The department of health and senior services shall, not less than once every five years, conduct an on-site review of every trauma, STEMI, and stroke center through appropriate department personnel or a qualified contractor, **with the exception of stroke centers designated under subsection 4 of this section; however, this provision shall not limit the department's ability to conduct a complaint investigation under subdivision (3) of subsection 2 of section 197.080 of any trauma, STEMI, or stroke center**. On-site reviews shall be coordinated for the different types of centers to the extent practicable with hospital licensure inspections conducted under chapter 197. No person shall be a qualified contractor for purposes of this subsection who has a substantial conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The department may deny, place on probation, suspend or revoke such designation in any case in which it has reasonable cause to believe that there has been a substantial failure to comply with the provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. If the department of health and senior services has reasonable cause to believe that a hospital is not in compliance with such provisions or regulations, it may conduct additional announced or unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center fails two consecutive on-site reviews because of substantial noncompliance with standards prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections 190.001 to 190.245, its center designation shall be revoked.

4. Instead of applying for stroke center designation under the provisions of subsection 2 of this section, a hospital may apply for stroke center designation under the provisions of this subsection. Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:

(1) A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines;

(2) A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines; or

(3) A level III stroke center if such hospital has been certified as an acute stroke-ready hospital by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines.

Except as provided under subsection 5 of this section, the department shall not require compliance with any additional standards for establishing or renewing stroke designations. The designation shall continue if such hospital remains certified. The department may remove a hospital's designation as a stroke center if the hospital requests removal of the designation or the department determines that the certificate recognizing the hospital as a stroke center has been suspended or revoked. Because the department may not have access to the records of the certifying organization, any decision made by the department to withdraw its designation of a stroke center under this subsection that is based on the revocation or suspension of a certification by a certifying organization shall not be subject to judicial review. The department shall report to the certifying organization any complaint it receives related to the certification of a stroke center designated under this subsection. The department shall also advise the complainant of which organization certified the stroke center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying organization.

5. Any hospital receiving designation as a stroke center under subsection 4 of this section shall:

(1) Annually and within thirty days of any changes submit to the department proof of stroke certification and the names and contact information of the medical director and the program manager of the stroke center;

(2) Submit to the department a copy of the certifying organization's final stroke certification survey results within thirty days of receiving such results;

(3) Submit every four years an application on a form prescribed by the department for stroke center review and designation;

(4) Participate in the emergency medical services regional system of stroke care in its respective emergency medical services region as defined in 19 CSR 30-40.302; and

(5) Participate in local and regional emergency medical services systems by reviewing and sharing outcome data and providing training and clinical educational resources.

Any hospital receiving designation as a level III stroke center under subsection 4 of this section shall have a formal agreement with a level I or level II stroke center for physician consultative services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-thrombolytic therapy.

6. Hospitals designated as a STEMI or stroke center by the department, including those designated under subsection 4 of this section, shall submit data to meet the data submission requirements specified by rules promulgated by the department. Such submission of data may be done by the following methods:

(1) Entering hospital data directly into a state registry by direct data entry;

(2) Downloading hospital data from a nationally recognized registry or data bank and importing the data files into a state registry; or

(3) Authorizing a nationally recognized registry or data bank to disclose or grant access to the department to facility-specific data held by the registry or data bank.

A hospital submitting data under subdivision (2) or (3) of this subsection shall not be required to collect and submit any additional STEMI or stroke center data elements.

7. When collecting and analyzing data under the provisions of this section, the department shall comply with the following requirements:

(1) The names of any health care professionals as defined in section 376.1350 shall not be subject to disclosure;

(2) The data shall not be disclosed in a manner that permits the identification of an individual patient or encounter;

(3) The data shall be used for the evaluation and improvement of hospital and emergency medical services trauma, stroke, and STEMI care;

(4) The data collection system shall be capable of accepting file transfers of data entered into any nationally recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma, stroke, or STEMI certification reporting requirements;

(5) STEMI and stroke center data elements shall conform to nationally recognized performance measures, such as the American Heart Association's Get With the Guidelines, and include published, detailed measure specifications, data coding instructions, and patient population inclusion and exclusion criteria to ensure data reliability and validity; and

(6) Generate from the trauma, stroke, and STEMI registries quarterly regional and state outcome data reports for trauma, stroke, and STEMI designated centers for the state advisory council on emergency medical services and regional emergency medical services committees to review for performance improvement and patient safety.

8. The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.

9. The department of health and senior services may establish appropriate fees to offset the costs of trauma, STEMI, and stroke center reviews.

[5.] 10. No hospital shall hold itself out to the public as a STEMI center, stroke center, adult trauma center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated as such by the department of health and senior services.

[6.] 11. Any person aggrieved by an action of the department of health and senior services affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation, may seek a determination thereon by the administrative hearing commission under chapter 621. It shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department."; and

Further amend said bill, Page 2, Section B, Line 2, by deleting the words "section A" and inserting in lieu thereof the words "the enactment of section 190.265 of section A"; and

Further amend said bill, page and section, Line 5, by deleting the words "section A" and inserting in lieu thereof the words "the enactment of section 190.265 of section A"; and

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

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

On motion of Representative Frederick, **SB 988, as amended**, was read the third time and passed by the following vote:

AYES: 103

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Basye	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Cornejo
Crawford	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen

2838 *Journal of the House*

Hicks	Higdon	Hill	Hinson	Hough
Houghton	Hubrecht	Johnson	Jones	Justus
Kelley	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Nichols	Parkinson	Pfautsch	Phillips	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 047

Adams	Anders	Arthur	Barnes	Beard
Burns	Butler	Carpenter	Conway 10	Curtis
Dunn	Green	Harris	Hubbard	Hurst
Kendrick	Kidd	Kirkton	Kratky	LaFaver
Lavender	Marshall	May	McCann Beatty	McCreery
McDaniel	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Norr	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Rowland 29	Runions
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Colona	Cross	Ellington	Fitzwater 144
Gardner	Hoskins	Hummel	Remole	Rhoads
Smith	Vescovo			

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 113

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Carpenter
Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Curtman	Davis	Dogan
Dohrman	Dugger	Engler	English	Entlicher
Fitzpatrick	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Green	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hough	Houghton	Hubrecht	Johnson	Jones
Justus	Kelley	King	Kirkton	Koenig
Kolkmeyer	Korman	LaFaver	Lair	Lant
Lauer	Lavender	Leara	Lichtenegger	Love

Lynch	Mathews	McCaherty	McGaugh	McNeil
Meredith	Messenger	Miller	Montecillo	Morris
Muntzel	Neely	Pfautsch	Phillips	Pietzman
Pike	Plocher	Rehder	Reiboldt	Remole
Rizzo	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	White	Wiemann
Wood	Zerr	Mr. Speaker		

NOES: 037

Berry	Butler	Colona	Conway 10	Curtis
Dunn	Eggleston	Hubbard	Hurst	Kendrick
Kidd	Kratky	Marshall	May	McCann Beatty
McCreery	McDaniel	McDonald	McGee	Mims
Mitten	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pierson	Pogue	Rowland 29	Runions	Walton Gray
Webber	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Cross	Ellington	Fitzwater 144	Flanigan
Gardner	Hoskins	Hummel	Redmon	Rhoads
Smith	Vescovo			

VACANCIES: 001

Representative Taylor (145) assumed the Chair.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 1584, as amended**, relating to private entities providing public safety services, was taken up by Representative Hill.

Representative Hill moved that the House refuse to adopt **SCS HCS HB 1584, 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.

On motion of Representative Cierpiot, the House recessed until 1:30 p.m.

### AFTERNOON SESSION

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

**THIRD READING OF SENATE BILLS**

**SB 641, with House Committee Amendment No. 1**, relating to a deduction for compensation payments for agricultural losses, was taken up by Representative Reiboldt.

Representative Allen moved that **House Committee Amendment No. 1** be adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Alferman	Allen	Anderson	Andrews	Austin
Barnes	Basye	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Entlicher
Fitzwater 144	Fraker	Franklin	Frederick	Gannon
Haefner	Hansen	Hicks	Higdon	Hill
Hinson	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	Messenger
Moon	Morris	Muntzel	Neely	Pfausch
Phillips	Pietzman	Pike	Plocher	Pogue
Reiboldt	Remole	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Swan
Taylor 139	Taylor 145	Walker	White	Wiemann
Wood	Zerr	Mr. Speaker		

NOES: 038

Adams	Anders	Arthur	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Green
Harris	Hubbard	Kendrick	Kirkton	Kratky
LaFaver	Lavender	May	McCann Beatty	McCreery
McDonald	McGee	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Peters	Pierson	Rizzo	Rowland 29
Runions	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 026

Bahr	Beard	Black	Colona	Cornejo
Ellington	Fitzpatrick	Fitzwater 49	Flanigan	Gardner
Haahr	Hoskins	Hummel	Kolkmeyer	McGaugh
Miller	Mitten	Pace	Parkinson	Redmon
Rehder	Rhoads	Smith	Spencer	Vescovo
Wilson				

VACANCIES: 001

Representative Allen again moved that **House Committee Amendment No. 1** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded pursuant to Rule 17:

AYES: 024

Adams	Anders	Arthur	Butler	Carpenter
Colona	Dunn	Green	Kirkton	Kratky
LaFaver	Marshall	McCann Beatty	McCreery	McDaniel
McDonald	McNeil	Montecillo	Newman	Norr
Otto	Pogue	Rizzo	Runions	

NOES: 113

Alferman	Allen	Anderson	Andrews	Austin
Barnes	Basye	Beard	Bernskoetter	Berry
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Flanigan	Fraker	Franklin	Frederick
Gannon	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Houghton	Hubbard
Hubrecht	Hurst	Johnson	Jones	Justus
Kendrick	Kidd	King	Koenig	Korman
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McGee	Meredith	Messenger	Mims	Moon
Morgan	Morris	Muntzel	Neely	Nichols
Pace	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Plocher	Reiboldt	Remole
Roeber	Rone	Ross	Rowden	Rowland 155
Rowland 29	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Swan	Taylor 139	Taylor 145
Walker	Walton Gray	Webber	White	Wiemann
Wood	Zerr	Mr. Speaker		

PRESENT: 001

Hough

ABSENT WITH LEAVE: 024

Bahr	Black	Cornejo	Ellington	Fitzwater 49
Gardner	Haahr	Hoskins	Hummel	Kelley
Kolkmeier	May	McGaugh	Miller	Mitten
Parkinson	Redmon	Rehder	Rhoads	Roden
Smith	Spencer	Vescovo	Wilson	

VACANCIES: 001

Representative Johnson assumed the Chair.

Speaker Richardson resumed the Chair.

On motion of Representative Reiboldt, **SB 641** was truly agreed to and finally passed by the following vote:

AYES: 097

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Bondon
Brown 57	Burlison	Chipman	Cierpiot	Cookson
Corlew	Crawford	Cross	Curtman	Davis
Dohrman	Dugger	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Houghton	Hubbard	Hubrecht	Johnson
Jones	Kelley	Kendrick	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Mims	Morgan	Morris
Muntzel	Norr	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Plocher	Reiboldt
Remole	Rhoads	Roden	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Sommer	Swan	Taylor 139	Taylor 145
Walker	Webber	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 052

Adams	Allen	Anders	Arthur	Berry
Brattin	Brown 94	Burns	Butler	Carpenter
Colona	Conway 10	Conway 104	Cornejo	Curtis
Dogan	Dunn	Green	Hurst	Justus
Kidd	King	Kirkton	Kratky	LaFaver
Lavender	Marshall	Mathews	May	McCann Beatty
McCreery	McDaniel	McDonald	McGee	McNeil
Meredith	Mitten	Montecillo	Moon	Neely
Newman	Nichols	Otto	Pace	Pogue
Rizzo	Roerber	Rowland 29	Runions	Solon
Walton Gray	White			

PRESENT: 003

Hough	Pietzman	Spencer
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ABSENT WITH LEAVE: 010

Black	Ellington	Flanigan	Gardner	Hoskins
Hummel	Redmon	Rehder	Smith	Vescovo

VACANCIES: 001

Speaker Richardson 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 refuses to concur in **HCS SB 635, as amended**, 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 refuses to concur in **HCS SS SCS SBs 865 & 866, as amended**, 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 refuses to concur in **HCS SB 867, as amended**, 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 refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, as amended, and House Amendment No. 9 to SCS SB 650** 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 refuses to concur in **HCS SS SCS SB 572, as amended**, 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 refuses to concur in **HCS SCS SB 765, as amended**, 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 refuses to concur in **House Amendment No. 1, as amended, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6, as amended**, to **SCS SB 921** 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 refuses to concur in **HCS SCS SB 578, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon, and that the conferees be allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 588, 603 & 942** entitled:

An act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records.

In which the concurrence of the House is respectfully requested.

## BILLS CARRYING REQUEST MESSAGES

**SCS SB 921, with House Amendment No. 1, as amended, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6, as amended,** relating to domestic violence, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to recede from its position on **House Amendment No. 1, as amended, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6, as amended,** to **SCS SB 921** and grant the Senate a conference.

Which motion was adopted.

**SCS SB 650, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, as amended, and House Amendment No. 9,** relating to higher education financial aid eligibility, was taken up by Representative Cookson.

Representative Cookson moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, as amended, and House Amendment No. 9** to **SCS SB 650** and grant the Senate a conference.

Which motion was adopted.

**HCS SS SCS SB 572, as amended,** relating to municipalities, was taken up by Representative Cornejo.

Representative Cornejo moved that the House refuse to recede from its position on **HCS SS SCS SB 572, as amended,** and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SB 765, as amended,** relating to conduct of political subdivisions, public servants, and law enforcement officials, was taken up by Representative Cornejo.

Representative Cornejo moved that the House refuse to recede from its position on **HCS SCS SB 765, as amended,** and grant the Senate a conference.

Which motion was adopted.

**HCS SS SCS SBs 865 & 866, as amended,** relating to health care, was taken up by Representative Engler.

Representative Engler moved that the House refuse to recede from its position on **HCS SS SCS SBs 865 & 866, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 635, as amended**, relating to health care, was taken up by Representative Cornejo.

Representative Cornejo moved that the House refuse to recede from its position on **HCS SB 635, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 867, as amended**, relating to political subdivisions, was taken up by Representative Fitzpatrick.

Representative Fitzpatrick moved that the House refuse to recede from its position on **HCS SB 867, as amended**, and grant the Senate a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS SB 864**, relating to the dispensing of medication, was taken up by Representative Morris.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

**"376.685. 1. No agreement between a health carrier or other insurer that writes vision insurance and an optometrist for the provision of vision services on a preferred or in-network basis to plan members or insurance subscribers in connection with coverage under a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy shall require that an optometrist provide optometric or ophthalmic services or materials at a fee limited or set by the plan or health carrier unless the services or materials are reimbursed as covered services under the contract.**

**2. No provider shall charge more for services or materials that are not covered under a health benefit or vision plan than his or her usual and customary rate for those services or materials.**

**3. Reimbursement paid by the health benefit or vision plan for covered services or materials shall be reasonable and shall not provide nominal reimbursement in order to claim that services or materials are covered services. No health carrier shall provide de minimis reimbursement or coverage in an effort to avoid the requirements of this section.**

4. No vision care insurance policy or vision care discount plan that provides covered services for materials shall have the effect, directly or indirectly, of limiting the choice of sources and suppliers of materials by a patient of a vision care provider.

5. Notwithstanding any other provisions in this section, nothing shall prohibit an optometrist from contractually opting in to an optometric services discount plan sponsored by a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy.

6. For the purposes of this section, the following terms mean:

- (1) "Covered services", optometric or ophthalmic services or materials for which reimbursement from the health benefit or vision plan is provided for by an enrollee's plan contract, or for which a reimbursement would be available but for the application of the enrollee's contractual limitations of deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;
- (2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;
- (3) "Health carrier", the same meaning as such term is defined in section 376.1350;
- (4) "Materials", includes, but is not limited to, lenses, frames, devices containing lenses, prisms, lens treatment and coatings, contact lenses, orthoptics, vision training devices, and prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or its adnexa;
- (5) "Optometric services", any services within the scope of optometric practice under chapter 336;
- (6) "Vision plan", any policy, contract of insurance, or discount plan issued by a health carrier, health benefit plan, or company that provides coverage or a discount for optometric or ophthalmic services or materials."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2 and 3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

Further amend said bill and page, Section A, Line 2, 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) "Birthing facility", any hospital as defined under section 197.020 with more than one licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a birthing center licensed under sections 197.200 to 197.240;

(2) "Department", the department of health and senior services.

2. After holding multiple public hearings in diverse geographic regions of the state and seeking broad public and stakeholder input, the department shall establish criteria for levels of maternal care designations and levels of neonatal care designations for birthing facilities. The levels developed under this section shall be based upon:

(1) The most current published version of the "Levels of Neonatal Care" developed by the American Academy of Pediatrics;

(2) The most current published version of the "Levels of Maternal Care" developed by the American Congress of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine; and

(3) Necessary variance when considering the geographic and varied needs of citizens of this state.

3. Nothing in this section shall be construed in any way to modify or expand the licensure of any health care professional.

4. Nothing in this section shall be construed in any way to require a patient be transferred to a different facility.

5. The department shall promulgate rules to implement the provisions of this section no later than January 1, 2017. Such rules shall be limited to those necessary for the establishment of levels of neonatal care designations and levels of maternal care designations for birthing facilities under subsection 2 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, 2016, shall be invalid and void.

6. Beginning January 1, 2018, any hospital with a birthing facility shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

7. Beginning January 1, 2018, any hospital with a birthing facility operated by a state university shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

8. The department may partner with appropriate nationally recognized professional organizations with demonstrated expertise in maternal and neonatal standards of care to administer the provisions of this section.

9. The criteria for levels of maternal and neonatal care developed under subsection 2 of this section shall not include pregnancy termination or counseling or referral for pregnancy termination."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the phrase "the dispensing of medication" and inserting in lieu thereof the phrase "health care"; and

Further amend said bill and page, 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-four** dollars and [eighty-two] **fifty-seven** cents plus copying in the amount of [fifty-three] **fifty-six** 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 cents.] **twenty-three dollars** 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 **seven dollars and sixty-seven 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 disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, the deceased prior to death did not specifically object to disclosure of his or her records in writing, and such disclosure is not inconsistent with any prior expressed preference of the deceased that is known to the health care provider, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:**
  - (1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;**
  - (2) 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;**
  - (3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;**
  - (4) 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;**
  - (5) 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**
  - (6) A guardian ad litem of the deceased'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 deceased."; and**

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

**"404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the "Designated Health Care Decision-Maker Act".**

**404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:**

(1) **"Artificially supplied nutrition and hydration", any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person's nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person's bloodstream or provided subcutaneously;**

(2) **"Best interests":**

(a) **Promoting the incapacitated person's right to enjoy the highest attainable standard of health for that person;**

(b) **Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and**

(c) **Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;**

(3) **"Designated health care decision-maker", the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;**

(4) **"Disability" or "disabled" shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term "this chapter" in that definition shall be deemed to refer to the Missouri health care decision-maker act;**

(5) **"Health care", a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:**

(a) **Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;**

(b) **Services for the rehabilitation or treatment of injured, disabled, or sick persons; or**

(c) **Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;**

(6) **"Health care facility", any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;**

(7) **"Health care provider", any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;**

(8) **"Incapacitated", a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;**

(9) **"Patient", any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;**

(10) **"Physician", a treating, attending, or consulting physician licensed to practice medicine under Missouri law;**

(11) **"Reasonable medical judgment", a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.**

**404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a**

designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

**404.1103.** Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician's designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision-makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient's personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

**404.1104. 1.** If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

- (1) The spouse of the patient, unless the spouse and patient are separated under one of the following:
  - (a) A current dissolution of marriage or separation action;
  - (b) A signed written property or marital settlement agreement;
  - (c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;
- (2) An adult child of the patient;
- (3) A parent of the patient;
- (4) An adult sibling of the patient;
- (5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;
- (6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or
- (7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

**4. Priority under this section shall not be given to persons in any of the following circumstances:**

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

**404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:**

**(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or**

**(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.**

**2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.**

**3. The provisions of this section shall not apply to subsection 3 of section 459.010.**

**404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.**

**404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.**

**404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.**

**2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.**

**3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.**

**4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.**

**404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.**

**404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:**

**(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or**

(2) **Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.**"; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, Section A, Line 2, 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; **the prescribing and dispensing of self-administered oral hormonal contraceptives under section 338.660**; 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, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

**"338.660. 1. For purposes of this chapter, "self-administered oral hormonal contraceptive" shall mean a drug composed of a combination of hormones that is approved by the Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may take orally.**

**2. A pharmacist may prescribe and dispense self-administered oral hormonal contraceptives to a person who is:**

(1) Eighteen years of age or older, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive; or

(2) Under eighteen years of age, if the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive.

3. The board of pharmacy shall adopt rules, in consultation with the board of registration for the healing arts, board of nursing, and department of health and senior services, and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, to establish standard procedures for the prescribing of self-administered oral hormonal contraceptives by pharmacists. The board of pharmacy shall adopt rules and regulations 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, 2016, shall be invalid and void.

4. The rules adopted under this section shall require a pharmacist to:

(1) Complete a training program approved by the board of pharmacy that is related to prescribing self-administered oral hormonal contraceptives;

(2) Provide a self-screening risk assessment tool that the patient shall use prior to the pharmacist's prescribing the self-administered oral hormonal contraceptive;

(3) Refer the patient to the patient's primary care practitioner or women's health care practitioner upon prescribing and dispensing the self-administered oral hormonal contraceptive;

(4) Provide the patient with a written record of the self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women's health care practitioner; and

(5) Dispense the self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

5. The rules adopted under this section shall prohibit a pharmacist from:

(1) Requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a self-administered oral hormonal contraceptive; and

(2) Prescribing and dispensing a self-administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following the initial prescription and dispensation of a self-administered oral hormonal contraceptive by a pharmacist to the patient.

6. All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services shall apply to self-administered oral hormonal contraceptives prescribed by a pharmacist under this section.

376.1240. 1. For purposes of this section, the terms "health carrier" and "health benefit plan" shall have the same meaning as defined in section 376.1350. The term "prescription contraceptive" shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2017, and that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for a dispensation of a ninety-day supply of prescription contraceptives to an insured.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

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

**"197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.**

**2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.**

**3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:**

**(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or**

**(2) The hospital has used other standards that provide for equivalent design criteria.**

**4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.**

**5. 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, 2016, shall be invalid and void.";**  
and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting immediately after all of said line the following:

**"536.031. 1. There is established a publication to be known as the "Code of State Regulations", which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.**

**2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general's opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.**

**3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written format upon request.**

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations."; and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

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

"99.848. **1.** Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

**2. In counties of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section.**"; and

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

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

On motion of Representative Morris, **HCS SB 864, as amended**, was adopted.

On motion of Representative Morris, **HCS SB 864, as amended**, was read the third time and passed by the following vote:

AYES: 096

Adams	Alferman	Allen	Andrews	Austin
Barnes	Basye	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Brown 94	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford

Cross	Curtis	Davis	Dogan	Dohrman
Eggleston	English	Entlicher	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Green	Haefner
Hansen	Harris	Higdon	Hough	Houghton
Hubrecht	Johnson	Justus	Kelley	Kendrick
King	Koenig	Kolkmeyer	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McGaugh	Messenger
Mims	Morris	Muntzel	Neely	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Plocher	Reiboldt	Roden
Roeber	Rone	Rowden	Rowland 155	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor 145	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Zerr
Mr. Speaker				

NOES: 043

Anders	Anderson	Arthur	Bahr	Beard
Burlison	Burns	Butler	Carpenter	Chipman
Curtman	Dugger	Dunn	Fitzwater 144	Hill
Hurst	Kidd	Kirkton	LaFaver	Lavender
Marshall	May	McCann Beatty	McCreery	McDaniel
McDonald	McGee	McNeil	Meredith	Montecillo
Moon	Morgan	Newman	Nichols	Peters
Pietzman	Pogue	Remole	Rizzo	Ross
Rowland 29	Spencer	Taylor 139		

PRESENT: 000

ABSENT WITH LEAVE: 023

Black	Colona	Ellington	Engler	Fitzpatrick
Flanigan	Gardner	Haahr	Hicks	Hinson
Hoskins	Hubbard	Hummel	Jones	Korman
Miller	Mitten	Redmon	Rehder	Rhoads
Smith	Vescovo	Wood		

VACANCIES: 001

Speaker Richardson declared the bill passed.

### APPOINTMENT OF CONFERENCE COMMITTEES

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

**HCS SS SCS SB 572:** Representatives Cornejo, McGaugh, Curtman, Rizzo and Mitten

**HCS SB 635:** Representatives Cornejo, Allen, Haefner, LaFaver and Carpenter

**SCS SB 650:** Representatives Cookson, Dohrman, Lichtenegger, McNeil and Rizzo

**HCS SCS SB 765:** Representatives Cornejo, McGaugh, Curtman, McCreery and Adams

**HCS SS SCS SBs 865 & 866:** Representatives Engler, Morris, Wiemann, McNeil and Kendrick

**HCS SB 867:** Representatives Fitzpatrick, Jones, Rowden, McCreery and Butler

**SCS SB 921:** Representatives Franklin, Solon, Pfautsch, Montecillo and Kirkton

**PERFECTION OF HOUSE JOINT RESOLUTIONS**

**HCS HJR 98**, relating to the right to life, was taken up by Representative Moon.

Representative Haefner assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Hicks	Higdon
Hill	Hinson	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Plocher	Pogue	Rehder	Reiboldt
Remole	Roden	Roeber	Rone	Ross
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 036

Adams	Anders	Arthur	Carpenter	Colona
Conway 10	Curtis	Dunn	Green	Harris
Hubbard	Kendrick	Kirkton	Kratky	Lavender
May	McCann Beatty	McCreery	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Rowland 29	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 018

Black	Burns	Butler	Cornejo	Ellington
Gardner	Hoskins	Hummel	Kolkmeyer	LaFaver
McGee	Miller	Redmon	Rhoads	Rowden
Runions	Smith	Vescovo		

VACANCIES: 001

On motion of Representative Moon, **HCS HJR 98** was adopted.

On motion of Representative Moon, **HCS HJR 98** was ordered perfected and printed by the following vote, the ayes and noes having been demanded by Representative Moon:

AYES: 112

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 036

Adams	Anders	Arthur	Carpenter	Colona
Conway 10	Curtis	Dunn	Hubbard	Kendrick
Kirkton	Kratky	LaFaver	Lavender	May
McCann Beatty	McCreery	McDonald	McGee	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Rowland 29	Walton Gray
Webber				

PRESENT: 001

Green

ABSENT WITH LEAVE: 013

Black	Burns	Butler	Ellington	Gardner
Hoskins	Hummel	Miller	Redmon	Rowden
Runions	Smith	Vescovo		

VACANCIES: 001

Speaker Richardson resumed the Chair.

**THIRD READING OF SENATE BILLS**

**SB 844**, relating to livestock trespass, was taken up by Representative McGaugh.

On motion of Representative McGaugh, **SB 844** was truly agreed to and finally passed by the following vote:

AYES: 111

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson
Justus	Kidd	King	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McGaugh	Messenger	Miller
Montecillo	Moon	Morris	Muntzel	Neely
Parkinson	Peters	Pfautsch	Phillips	Pietzman
Pike	Plocher	Pogue	Rehder	Reiboldt
Remole	Roden	Roeber	Rone	Ross
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Spencer	Swan	Taylor 139	Taylor 145
Walker	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 033

Adams	Anders	Arthur	Butler	Carpenter
Curtis	Dunn	Green	Kendrick	Kirkton
LaFaver	Lavender	May	McCann Beatty	McCreery
McDaniel	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Walton Gray	Webber	White		

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 017

Black	Burns	Cross	Ellington	Gardner
Hoskins	Hummel	Jones	Kelley	Redmon
Rhoads	Rowden	Rowland 29	Runions	Smith
Sommer	Vescovo			

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS SCS SBs 688 & 854**, relating to the joint committee on public assistance, was taken up by Representative Franklin.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 688 & 854, Page 1, Section 208.952, Line 8, by deleting the word "**and**"; and

Further amend said bill, page and section, Line 11, by deleting all of said line and inserting in lieu thereof the following:

**"among participants as may be appropriate; and**

**(4) Addressing the catastrophic percentage of households in Missouri experiencing food insecurity and hunger, which has more than doubled in the last decade. For children, food insecurity is a predictor of chronic illness, lower school performance, and developmental problems. For adults, food insecurity leads to income loss, missed work days, increased health costs, and high demand for public assistance benefits."**; and

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

Representative Johnson resumed the Chair.

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Bondon	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Cookson	Corlew	Crawford	Cross
Curtman	Davis	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Haefner
Hansen	Hicks	Higdon	Hill	Houghton
Hubrecht	Hurst	Johnson	Justus	Kidd
King	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	McDaniel	McGaugh	Messenger
Moon	Morris	Muntzel	Pfautsch	Phillips
Pietzman	Pike	Plocher	Pogue	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr			

NOES: 037

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Green	Harris
Hubbard	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald

McGee	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Otto	Pace
Peters	Pierson	Rizzo	Rowland 29	Runions
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 033

Berry	Black	Brown 57	Burns	Conway 10
Conway 104	Cornejo	Dogan	Ellington	Fitzpatrick
Flanigan	Gardner	Haahr	Hinson	Hoskins
Hough	Hummel	Jones	Kelley	Korman
McCaherty	Miller	Mitten	Neely	Norr
Parkinson	Redmon	Rehder	Smith	Sommer
Spencer	Vescovo	Mr. Speaker		

VACANCIES: 001

On motion of Representative Franklin, **HCS SCS SBs 688 & 854, as amended**, was adopted.

On motion of Representative Franklin, **HCS SCS SBs 688 & 854, as amended**, was read the third time and passed by the following vote:

AYES: 099

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Bondon	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haefner	Hansen	Harris
Hicks	Hill	Houghton	Hubrecht	Hurst
Johnson	Justus	Kelley	Kidd	King
Kirkton	Koenig	Kolkmeier	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mathews	May	McGaugh	Messenger	Montecillo
Moon	Morris	Muntzel	Neely	Pfautsch
Phillips	Pietzman	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Spencer	Swan	Taylor 139	Taylor 145	Walker
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 037

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Green	Hubbard
Kendrick	Kratky	LaFaver	Lavender	Marshall
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Otto	Pace	Peters
Pierson	Pogue	Rowland 29	Runions	Walton Gray
Webber	White			

PRESENT: 000

ABSENT WITH LEAVE: 026

Berry	Black	Brown 57	Burns	Conway 10
Cornejo	Dogan	Ellington	Gardner	Haahr
Higdon	Hinson	Hoskins	Hough	Hummel
Jones	Korman	McCaherty	Miller	Norr
Parkinson	Redmon	Smith	Sommer	Vescovo
Zerr				

VACANCIES: 001

Representative Johnson declared the bill passed.

**HCS SCS SB 823**, relating to sales tax, was taken up by Representative Zerr.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, Pages 1-3, Section 144.026, Lines 1-55, by deleting all of said lines and inserting in lieu thereof the following:

**"144.026. 1. This section affirms existing law as interpreted by the Missouri supreme court in *Bridge Data Co. v. Director of Revenue*, 794 S. W. 2d 204 (Mo. banc 1990); *Concord Publishing House v. Director of Revenue*, 916 S. W. 2d 186 (Mo. banc 1996); *DST Systems Inc. Co. v. Director of Revenue*, 43 S. W. 3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S. W. 3d 763 (Mo. banc 2002); *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S. W. 3d 226 (Mo. banc 2005); and *E & B Granite, Inc. v. Director of Revenue*, 331 S. W. 3d 314 (Mo. banc 2011). The director of revenue and all courts of competent jurisdiction shall follow the reasoning of the Missouri supreme court in these decisions and shall apply such reasoning to all pending audits, assessments, refund claims, and claims for credit not finally adjudicated as of the effective date of this section as well as all future audits, assessments, refund claims, and claims for credit.**

**2. This section rejects and abrogates the Missouri supreme court's interpretation of the exemptions found in subsection 2 of section 144.054 and subdivisions (5) and (6) of subsection 2 of section 144.030 in *IBM Corporation v. Director of Revenue*, No. SC94999 (Mo. Apr. 5, 2016), and any other decision of the Missouri supreme court or administrative hearing commission, and any letter ruling or regulation of the director of revenue, that is inconsistent with this section. The exemptions found in subsection 2 of section 144.054 and subdivisions (5) and (6) of subsection 2 of section 144.030 shall apply to all taxpayers whose activities meet the requirements of these exemptions regardless of whether the taxpayer's type of business is expressly mentioned in chapter 144 or any other section, and regardless of whether the activity occurs at an industrial facility or a permanent, temporary, or mobile location.";** and

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

Speaker Richardson resumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Bondon	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haefner	Hansen	Hicks
Hill	Hinson	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Lichtenegger	Love
Marshall	Mathews	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Rehder	Reiboldt	Remole	Rhoads
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Spencer	Swan	Taylor 139	Taylor 145	Walker
White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 036

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Green	Harris
Hubbard	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald
McGee	McNeil	Meredith	Mims	Montecillo
Newman	Nichols	Otto	Pace	Peters
Pierson	Rizzo	Rowland 29	Runions	Walton Gray

Webber

PRESENT: 000

ABSENT WITH LEAVE: 025

Berry	Black	Brown 57	Burns	Conway 10
Crawford	Ellington	Entlicher	Gardner	Haahr
Higdon	Hoskins	Hummel	Leara	Lynch
McCaherty	Mitten	Morgan	Norr	Parkinson
Redmon	Roden	Smith	Sommer	Vescovo

VACANCIES: 001

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, Page 1, In the Title, Line 3, by deleting the words "sales tax" and inserting in lieu thereof the words "taxation"; and

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

"137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, **bed and breakfast inns in which the owner resides and uses as a primary residence with six or fewer rooms for rent**, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;
- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution."; and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Hicks	Hill	Hinson	Hough
Houghton	Hubrecht	Hurst	Johnson	Justus
Kelley	Kidd	King	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Marshall	Mathews	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Plocher	Pogue	Rehder	Reiboldt
Remole	Rhoads	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 037

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Green	Harris
Hubbard	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald

2868 *Journal of the House*

McGee	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Otto	Pace
Peters	Pierson	Rizzo	Rowland 29	Runions
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Black	Brown 57	Burns	Conway 10	Crawford
Ellington	Entlicher	Gardner	Higdon	Hoskins
Hummel	Jones	Leara	Lynch	McCaherty
Mitten	Norr	Redmon	Roden	Smith
Sommer	Vescovo			

VACANCIES: 001

On motion of Representative Zerr, **HCS SCS SB 823, as amended**, was adopted.

On motion of Representative Zerr, **HCS SCS SB 823, as amended**, was read the third time and passed by the following vote:

AYES: 123

Alferman	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Basye	Beard
Bernskoetter	Berry	Bondon	Brattin	Brown 94
Burlison	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Engler
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Hicks	Hill
Hinson	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Justus	Kelley	Kendrick
Kidd	King	Koenig	Kolkmeyer	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Mathews	May
McCreery	McGaugh	McNeil	Meredith	Messenger
Mims	Moon	Morris	Muntzel	Neely
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roeber
Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Spencer	Swan	Taylor 139	Taylor 145	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 017

Adams	Barnes	English	Kirkton	Korman
Marshall	McCann Beatty	McDaniel	McDonald	McGee
Montecillo	Morgan	Newman	Nichols	Otto
Pogue	Rone			

PRESENT: 000

ABSENT WITH LEAVE: 022

Black	Brown 57	Burns	Conway 10	Crawford
Ellington	Entlicher	Gardner	Higdon	Hoskins
Hummel	Jones	Lynch	McCaherty	Miller
Mitten	Norr	Redmon	Roden	Smith
Sommer	Vescovo			

VACANCIES: 001

Speaker Richardson declared the bill passed.

### REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

**HR 3225** - Select Committee on Rules

### REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

**SS SCS SB 663** - Civil and Criminal Proceedings

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCR 67**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(2) be referred to the Select Committee on Agriculture.

**Committee on Civil and Criminal Proceedings**, Chairman McGaugh reporting:

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **SB 577**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, and House Committee Amendment No. 3**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

#### *House Committee Amendment No. 1*

AMEND Senate Bill No. 577, Page 7, Section 473.050, Line 43, by inserting after all of said section and line the following:

"473.730. 1. Every county in this state, except the City of St. Louis, shall elect a public administrator at the general election in the year 1880, and every four years thereafter, who shall be ex officio public guardian and conservator in and for the public administrator's county. A candidate for public administrator shall be at least twenty-one years of age and a resident of the state of Missouri and the county in which he or she is a candidate for at least one year prior to the date of the general election for such office. The candidate shall also be a registered voter

and shall be current in the payment of all personal and business taxes. **Each candidate for public administrator shall provide to the election authority a copy of a signed affidavit from a surety company, indicating that the candidate meets the bond requirements for the office of public administrator under this section.**

2. Before entering on the duties of the public administrator's office, the public administrator shall take the oath required by the constitution, and enter into bond to the state of Missouri in a sum not less than ten thousand dollars, with [two] **one** or more securities, approved by the court and conditioned that the public administrator will faithfully discharge all the duties of the public administrator's office, which bond shall be given and oath of office taken on or before the first day of January following the public administrator's election, and it shall be the duty of the judge of the court to require the public administrator to make a statement annually, under oath, of the amount of property in the public administrator's hands or under the public administrator's control as such administrator, for the purpose of ascertaining the amount of bond necessary to secure such property; and such court may from time to time, as occasion shall require, demand additional security of such administrator, and, in default of giving the same within twenty days after such demand, may remove the administrator and appoint another.

[2.] **3.** The public administrator in all counties, in the performance of the duties required by chapters 473, 474, and 475, is a public officer. The duties specified by section 475.120 are discretionary. The county shall defend and indemnify the public administrator against any alleged breach of duty, provided that any such alleged breach of duty arose out of an act or omission occurring within the scope of duty or employment.

[3.] **4.** After January 1, 2001, all salaried public administrators shall be considered county officials for purposes of section 50.333, subject to the minimum salary requirements set forth in section 473.742.

[4.] **5.** The public administrator for the city of St. Louis shall be appointed by a majority of the circuit judges and associate circuit judges of the twenty-second judicial circuit, en banc. Such public administrator shall meet the same qualifications and requirements specified in subsection 1 of this section for elected public administrators. The elected public administrator holding office on August 28, 2013, shall continue to hold such office for the remainder of his or her term."; and

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

*House Committee Amendment No. 2*

AMEND Senate Bill No. 577, Page 7, Section 473.050, Line 43, by inserting after all of said section and line the following:

"473.748. 1. As used in this section, the terms conservator, guardian, protectee, and ward shall have the same definitions as in section 475.010.

2. Any term, provision, consideration, or covenant in any contract for treatment, goods, or services shall be unenforceable if such term, provision, consideration, or covenant requires a public administrator who is acting as a guardian or conservator to personally pay, assume, or guarantee the debt or account of a ward or protectee.

**3. No public administrator acting as a guardian or conservator shall be required to disclose any personal or financial information including, but not limited to, his or her Social Security number or personal bank account number to any party with which they are contracting on behalf of a ward or protectee.**

**4. A public administrator acting as a guardian or conservator shall not be held personally liable, or act as the guarantor, for the debts of their ward or protectee.**

**5. Any person who knowingly violates the provisions of subsection 4 of this section shall be held liable in a civil action for any damage caused to the public administrator's credit by the violation, and may be required to pay a fine of up to fifty dollars. Any moneys collected from the fine shall be deposited into the general revenue fund.**

**6. Upon request, a consumer credit reporting agency shall provide a public administrator a copy of his or her credit report on a quarterly basis at no cost. A consumer credit reporting agency shall remove all references to any debt owed by a ward of the public administrator from the public administrator's credit report. A consumer credit reporting agency may request that the public administrator provide a copy of the order appointing him or her as the public administrator for a ward.";** and

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

*House Committee Amendment No. 3*

AMEND Senate Bill No. 577, Page 1, In the Title, Lines 3-4, by deleting the phrase "estate planning" and inserting in lieu thereof the phrase "the administration of estates and persons"; and

Further amend said bill, Page 7, Section 473.050, Line 43, by inserting after all of said section and line the following:

"475.125. 1. The court may make orders for the management of the estate of the protectee for the care, education, treatment, habilitation, **respite**, support and maintenance of the protectee and for the maintenance of his **or her** family and education of his **or her** children, according to his **or her** means and obligation, if any, out of the proceeds of his **or her** estate, and may direct that payments for such purposes shall be made weekly, monthly, quarterly, semiannually or annually. The payments ordered under this section may be decreased or increased from time to time as ordered by the court.

2. Appropriations for any such purposes, expenses of administration and allowed claims shall be paid from the property or income of the estate. The court may authorize the conservator to borrow money and obligate the estate for the payment thereof if the court finds that funds of the estate for the payment of such obligation will be available within a reasonable time and that the loan is necessary. If payments are made to another under the order of the court, the conservator of the estate is not bound to see to the application thereof.

3. In acting under this section the court shall take into account any duty imposed by law or contract upon a parent or spouse of the protectee, a government agency, a trustee, or other person or corporation, to make payments for the benefit of or provide support, education, care, treatment, habilitation, **respite**, maintenance or safekeeping of the protectee and his **or her** dependents. The guardian of the person and the conservator of the estate shall endeavor to enforce any such duty."; and

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

**Committee on Elementary and Secondary Education**, Chairman Swan reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 904**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

*House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 904, Page 1, In the Title, Lines 3-4, by deleting the phrase "gifted education, with a delayed effective date for a certain section" and inserting in lieu thereof the phrase "elementary and secondary education"; and

Further amend said bill, Pages 2-6, Section 163.031, Lines 1-113, by deleting all of said section and lines and inserting in lieu thereof the following:

"163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state

revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

5. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1 and 2 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

6. (1) If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced **price** lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced **price** lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

**(2) In the 2017-18 school year and in each subsequent school year, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount. The provisions of this subdivision shall apply to districts entitled to receive state aid payments under both subsections 1 and 2 of this section but shall not apply to any school district with an average daily attendance of three hundred fifty or less.**

7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations."; and

Further amend said bill, Page 6, Section 170.047, Line 1, by deleting the numbers "2017-2018" and inserting in lieu thereof the numbers "2017-18"; and

Further amend said bill, page and section, Line 19, by inserting immediately after the number "536.010" a comma ","; and

Further amend said bill, page and section, Line 21, by deleting the number "536," and inserting in lieu thereof the number "536"; and

Further amend said bill, page and section, Line 22, by inserting immediately after the word "nonseverable" a comma ","; and

Further amend said bill, page and section, Line 23, by deleting the number "536," and inserting in lieu thereof the number "536"; and

Further amend said bill, Page 7, Section 170.048, Line 5, by inserting immediately after the word "to" a comma ","; and

Further amend said bill, page and section, Line 20, by deleting the word "adapt" and inserting in lieu thereof the word "adjust"; and

Further amend said bill, Pages 7-10, Section 633.420, Lines 1-110, by deleting all of said section and lines and inserting in lieu thereof the following:

**"633.420. 1. For the purposes of this section, the term "dyslexia" means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.**

**2. There is hereby created the "Legislative Task Force on Dyslexia". The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties; any such support involving monetary expenses shall first be approved by the chairman of the joint committee on education. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, joint committee on education, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services.**

**3. The task force shall be comprised of twenty members consisting of the following:**

- (1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;
- (2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;
- (3) The commissioner of education, or his or her designee;
- (4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;
- (5) A representative from a state teachers association or the Missouri National Education Association;
- (6) A representative from the International Dyslexia Association of Missouri;
- (7) A representative from Decoding Dyslexia of Missouri;
- (8) A representative from the Missouri Association of Elementary School Principals;
- (9) A representative from the Missouri Council of Administrators of Special Education;
- (10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;
- (11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association;
- (12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;
- (13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;
- (14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;
- (15) One private citizen who has a child who has been diagnosed with dyslexia;
- (16) One private citizen who has been diagnosed with dyslexia;
- (17) A representative of the Missouri State Council of the International Reading Association; and
- (18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and joint committee on education and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

**6. The recommendations and resource materials developed by the task force shall:**

- (1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;
- (2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;
- (3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

- (4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;
- (5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and
- (6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and joint committee on education.
7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.
8. The task force authorized under this section shall expire on August 31, 2018."; and

Further amend said bill, Page 10, Section B, Lines 1 and 2, by deleting all of said section and lines; and

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

**Committee on Emerging Issues**, Chairman Haahr reporting:

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SB 941**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

**Committee on Higher Education**, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 873**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

*House Committee Amendment No. 1*

AMEND Senate Bill No. 873, Pages 3 and 4, Section 620.2605, Lines 1-29, by deleting all of said section and lines; and

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

**Committee on Veterans**, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 968**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(12) be referred to the Select Committee on Social Services.

**MESSAGE 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#2 SCS HB 1631** entitled:

An act to repeal section 115.427, RSMo, and to enact in lieu thereof one new section relating to elections, with a contingent effective date.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1631, Page 6, Section 115.427, Line 24, by inserting after "(1)" the following:

"(a)"; and

Further amend Line 28, by inserting at the end of said line the following:

"or"; and

Further amend said bill and section, Line 1, by striking "(2)" and inserting in lieu thereof the following:

"(b)"; and

Further amend Line 6, by striking "(3)" and inserting in lieu thereof the following:

"(2)".

In which the concurrence of the House is respectfully requested

**REFERRAL OF HOUSE BILLS**

The following House Bill was referred to the Committee indicated:

**SS#2 SCS HB 1631, as amended** - Fiscal Review

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 607**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 607, with House Amendment Nos. 1, 2, 3, 4 & 5, 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 House recede from its position on House Committee Substitute for Senate Bill No. 607, as amended;
2. That the Senate recede from its position on Senate Bill No. 607;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 607, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater  
/s/ Gary Romine  
/s/ Dan Hegeman  
/s/ Jill Schupp  
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Marsha Haefner  
/s/ Diane Franklin  
/s/ David Wood

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 621**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 621, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, House Amendment Nos. 1 and 2 to House Amendment No. 9, House Amendment No. 9, as amended, House Amendment No. 1 to House Amendment No. 10, and House Amendment No. 10, as amended, 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 House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 621, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 621;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 621 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gary Romine  
/s/ David Sater  
/s/ Dan Brown  
/s/ Gina Walsh  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Jason (Jay) Barnes  
/s/ Sue Allen  
/s/ Marsha Haefner  
/s/ Jeanne Kirkton  
/s/ Kip Kendrick

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 677**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 677, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, and House Amendment Nos. 6, 7, 8, 9, 10, 11, 12, and 13, 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 House recede from its position on House Committee Substitute for Senate Bill No. 677, as amended;
2. That the Senate recede from its position on Senate Bill No. 677;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 677 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater  
/s/ Jay Wasson  
/s/ Jeanie Riddle  
/s/ Maria Chappelle-Nadal  
/s/ Jill Schupp

FOR THE HOUSE:

/s/ Diane Franklin  
/s/ Sue Entlicher  
/s/ Steve Lynch  
/s/ Jeanne Kirkton  
/s/ Lauren Arthur

**REFERRAL OF CONFERENCE COMMITTEE REPORTS**

The following Conference Committee Reports were referred to the Committee indicated:

**CCR HCS SB 607, as amended** – Fiscal Review  
**CCR HCS SS SB 621, as amended** – Fiscal Review  
**CCR HCS SB 677, as amended** – Fiscal Review

**ADJOURNMENT**

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Wednesday, May 4, 2016.

**COMMITTEE HEARINGS**

APPROPRIATIONS - AGRICULTURE, CONSERVATION, AND NATURAL RESOURCES  
Thursday, May 5, 2016, 8:30 AM, House Hearing Room 3.

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

Informational purposes with the Department of Natural Resources regarding Water and State Parks.

#### CIVIL AND CRIMINAL PROCEEDINGS

Wednesday, May 4, 2016, 12:00 PM or Upon Conclusion of Morning Session (whichever is later), House Hearing Room 1.

Public hearing will be held: SS SCS SB 663

Executive session will be held: SB 576, SS#2 SCS SB 590

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

#### CORRECTIONS

Wednesday, May 4, 2016, 8:30 AM, House Hearing Room 5.

Public hearing will be held: SS SCS SB 1057

Executive session will be held: SS SCS SB 1057

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

#### EMERGING ISSUES

Wednesday, May 4, 2016, Upon Conclusion of Morning Session, House Hearing Room 5.

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

Executive Session only.

#### EMPLOYMENT SECURITY

Wednesday, May 4, 2016, 8:30 AM, House Hearing Room 7.

Public hearing will be held: SCS SB 613

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

#### FISCAL REVIEW

Wednesday, May 4, 2016, 9:15 AM, South Gallery.

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

#### FISCAL REVIEW

Thursday, May 5, 2016, 9:15 AM, South Gallery.

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

#### GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, May 4, 2016, Upon Conclusion of Morning Session, House Hearing Room 4.

Public hearing will be held: SCR 45, SS SCS SJR 19

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

#### PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Wednesday, May 4, 2016, 12:00 PM or Upon Morning Recess (whichever is later), House Hearing Room 3.

Public hearing will be held: HB 2273

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

**PUBLIC SAFETY AND EMERGENCY PREPAREDNESS**

Monday, May 9, 2016, 2:00 PM, House Hearing Room 5.

Public hearing will be held: HB 1516, HB 1520, HB 1521, HB 1522, HB 1523

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

**CORRECTED**

**SELECT COMMITTEE ON EDUCATION**

Thursday, May 5, 2016, 8:00 AM, House Hearing Room 5.

Executive session will be held: HB 2314, SCS SB 904, SB 873

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

**SELECT COMMITTEE ON FINANCIAL INSTITUTIONS AND TAXATION**

Thursday, May 5, 2016, 8:00 AM, House Hearing Room 7.

Executive session will be held: SCS SB 794, SB 1025

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

**SELECT COMMITTEE ON GENERAL LAWS**

Wednesday, May 4, 2016, Upon Conclusion of Morning Session, South Gallery.

Executive session will be held: SS SB 937, SB 573, SB 738, SS SCS SB 704, SB 682,

SCS SB 836, SCS SB 781, SB 888, SB 676, SB 835, SB 831

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

**SELECT COMMITTEE ON JUDICIARY**

Wednesday, May 4, 2016, 5:00 PM or Upon Conclusion of Afternoon Session (whichever is later), House Hearing Room 1.

Executive session will be held: SB 577

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

**SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS**

Thursday, May 5, 2016, 8:00 AM, House Hearing Room 1.

Executive session will be held: SB 869

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

**SELECT COMMITTEE ON UTILITIES**

Thursday, May 5, 2016, 9:00 AM, House Hearing Room 6.

Executive session will be held: HB 2418, HB 2543

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

**SMALL BUSINESS**

Wednesday, May 4, 2016, 12:00 PM or 30 minutes Upon Conclusion of Morning Session, House Hearing Room 7.

Public hearing will be held: HB 1511

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

**SPECIAL COMMITTEE ON URBAN ISSUES**

Monday, May 9, 2016, 12:00 PM, House Hearing Room 3.

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

Discussion of diversity inclusion in capitol improvement projects.

**TRADE AND TOURISM**

Wednesday, May 4, 2016, 8:30 AM, House Hearing Room 1.

Public hearing will be held: SCR 50, SCR 42, SCR 65

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

AMENDED

**WAYS AND MEANS**

Monday, May 30, 2016, 2:30 PM, House Hearing Room 2.

Executive session will be held: SB 1025

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

CANCELLED

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, WEDNESDAY, MAY 4, 2016

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HCS HJR 56 - Burlison

HJR 59 - Lauer

HJR 88 - Kidd

HJR 60 - Kelley

**HOUSE BILLS FOR PERFECTION**

HCS HB 1995 - Cornejo

HB 1396 - McCreery

HB 1389 - King

HB 2322 - Rowden

HB 1965 - Zerr

HB 2243 - Cornejo

HCS HB 2388, with HA 1, pending - Fitzwater (144)

HCS HBs 2565 & 2564 - Montecillo

HB 2575 - Montecillo

HCS HB 2399 - Colona

HCS HB 1578 - Higdon

HB 2448 - Conway (10)

HCS HB 1866 - Hubrecht

HB 1831 - McGaugh

HCS HB 2367 - McGaugh

HB 2271 - Entlicher  
HCS HB 2472 - Franklin  
HB 2042 - Curtman  
HB 1755 - Bahr  
HB 1685 - Fitzwater (49)  
HB 1792 - Lauer  
HB 1731 - Reiboldt  
HCS HB 2344 - Wilson  
HCS HB 2269 - Frederick  
HCS HB 2078 - Fraker  
HCS HB 1566 - Davis  
HCS HB 1617 - McCaherty  
HCS HB 1732 - Davis  
HCS HB 1927 - Redmon  
HB 2043 - Swan  
HB 2464 - Davis  
HCS HB 2515 - Engler  
HB 2461 - Ross  
HB 2671 - Fitzwater (49)  
HCS HB 2416 - Leara  
HCS HB 2632 - Reiboldt  
HCS HB 2757 - Kolkmeier  
HCS HB 2638 - Wiemann  
HB 2422 - LaFaver  
HCS HB 2502 - McGaugh  
HB 1667 - Swan  
HB 2087 - Lynch  
HB 2283 - McCaherty  
HB 1994 - Cornejo  
HB 1914 - Hinson  
HB 1436 - Kelley  
HB 1615 - Swan  
HB 2358 - Fitzpatrick  
HCS HB 2320 - McGaugh  
HCS HBs 2298 & 2109 - Miller  
HB 2066 - Hill  
HCS HB 2456 - Andrews  
HCS HB 2349 - Koenig  
HCS HB 2252 - Curtman  
HCS HB 1628 - Cookson  
HB 2159 - Rhoads  
HCS HB 1614 - Swan  
HB 2328 - Davis  
HB 2304 - Frederick  
HB 1697 - Rowland (155)  
HB 1861 - Cross

HB 2251 - Curtman  
HCS HB 2107 - McGaugh  
HB 1741 - Brattin  
HCS HB 2488 - Hill  
HCS HB 1640 - Hicks  
HCS HB 1608 - Swan  
HB 2105 - Cornejo  
HB 1959 - Dugger  
HB 2458 - Mathews  
HB 2651 - Fitzwater (49)  
HCS HB 2742 - Fitzwater (144)

### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS HCR 94 - Hummel  
HCS HCR 60 - Love  
HCR 99 - Hinson  
HCS HCR 91 - Walton Gray  
HCR 72 - Fitzwater (49)

### **HOUSE BILLS FOR THIRD READING**

HCS HB 1605, with HCA 2 - Kelley  
HCS HB 1945, (Fiscal Review 4/21/16) - Spencer  
HCS HB 2566 - Pfautsch

### **HOUSE BILLS FOR THIRD READING - CONSENT**

HB 2348 - Richardson

### **SENATE BILLS FOR SECOND READING**

SCS SBs 588, 603 & 942

### **SENATE BILLS FOR THIRD READING**

SCS SB 818 - Alferman  
HCS SCS SB 703, with HCA 5 - Reiboldt  
SB 887 - Pierson  
SCS SB 646 - Frederick  
SB 627 - English  
SCS SB 638 - Swan  
SCS SBs 905 & 992, E.C. - Jones  
SB 702 - Brown (57)  
HCS SB 640 - Brattin

HCS SB 735 - Cornejo  
SCS SB 1009 - Houghton  
SB 852 - Chipman  
HCS SS SB 786, E.C. - Dugger  
SB 915 - Basye  
HCS SCS SB 973 - Jones  
SB 947 - Engler  
HCS SB 827, (Fiscal Review 5/2/16) - Swan  
HCS SCS SB 996, (Fiscal Review 5/2/16), E.C. - Swan  
HCS SB 997, (Fiscal Review 5/2/16), E.C. - Cookson  
HCS SCS SB 861, (Fiscal Review 5/2/16) - McCaherty  
HCS SB 932 - Dugger  
HCS SCS SB 800, (Fiscal Review 5/2/16) - Rowden  
HCS SB 909 - Fitzpatrick  
HCS SB 625 - Pierson  
HCS SCS SB 618 - Hicks  
HCS SS SCS SB 698 - Cornejo  
HCS SB 711, E.C. - Hicks  
HCS SB 833 - Fitzwater (49)  
HCS SB 656, E.C. - Burlison  
SB 897 - Crawford  
HCS SS SB 799 - McCaherty

#### **SENATE CONCURRENT RESOLUTION FOR THIRD READING**

SCS SCR 43 - Richardson

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

HCS HB 1562, with SA 1, SA 2, SA 3, SA 4, SA 5, and SA 6 - Haahr  
SCS HB 1698 - Rowden  
SCS HB 2125 - Fitzwater (49)  
SCS HB 1414, as amended - Houghton  
SS#2 SCS HCS HB 1550, as amended, E.C. - Neely  
SCS HB 1936, as amended - Wilson  
SCS HCS HB 2030 - Hoskins  
SCS HB 1682, as amended - Frederick  
SS HB 2355 - Lant  
HB 1568, with SA 1 - Lynch  
SS HCS HB 1877, as amended - Wood  
SS HCS HB 1477, E.C. - Dugger  
SCS HCS HB 1976, as amended - Hoskins  
SCS HCS HBs 1646, 2132 & 1621 - Swan  
SS HB 1733, as amended - Davis  
SS#2 SCS HB 1631, as amended (Fiscal Review 5/3/16) - Alferman

**BILLS CARRYING REQUEST MESSAGES**

HB 1870, with SA 1, SA 3, SA 4, and SA 5 (request Senate recede/grant conference) - Hoskins  
SCS HCS HB 1584, as amended (request Senate recede/grant conference) - Hill  
HCS SCS SB 578, as amended, (request House recede/grant conference/exceed differences) -  
Jones

**BILLS IN CONFERENCE**

CCR HCS SS SB 621, as amended (Fiscal Review 5/3/16), E.C. - Barnes  
CCR HCS SB 677, as amended (Fiscal Review 5/3/16) - Franklin  
CCR HCS SB 607, as amended (Fiscal Review 5/3/16) - Haefner  
HCS SB 639, as amended, E.C. - Walker  
HCS SS SB 608, as amended - Allen  
HCS SS SB 732, as amended - Rhoads  
SB 700, with HA 1, as amended, and HA 2 - Dohrman  
SCS SB 921, HA 1, as amended, HA 2, HA 3, HA 4, HA 5, and HA 6, as amended - Franklin  
SCS SB 650, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 8, as amended, and HA 9,  
E.C. - Cookson  
HCS SS SCS SB 572, as amended - Cornejo  
HCS SCS SB 765, as amended - Cornejo  
HCS SS SCS SBs 865 & 866, as amended - Engler  
HCS SB 635, as amended - Cornejo  
HCS SB 867, as amended - Fitzpatrick

**HOUSE RESOLUTION**

HR 1103 - Richardson

**VETOED HOUSE BILL**

SS HCS HB 1891 - Rehder

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

SCS HCS HB 1 - Flanigan  
CCS SCS HCS HB 2 - Flanigan  
CCS SCS HCS HB 3 - Flanigan  
CCS SCS HCS HB 4 - Flanigan  
CCS SCS HCS HB 5 - Flanigan  
CCS SCS HCS HB 6 - Flanigan  
CCS SCS HCS HB 7 - Flanigan  
CCS SCS HCS HB 8 - Flanigan  
CCS SCS HCS HB 9 - Flanigan  
CCS SCS HCS HB 10 - Flanigan

CCS SCS HCS HB 11 - Flanigan

CCS SS SCS HCS HB 12 - Flanigan

CCS SCS HCS HB 13 - Flanigan

SS SCS HCS HB 17 - Flanigan

SCS HCS HB 18 - Flanigan

SCS HCS HB 19 - Flanigan