

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, TUESDAY, APRIL 23, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Teach me Thy way, O Lord, that I may walk in Thy truth. (Psalm 86:11)

Eternal God, Who is the refuge and strength of Your people in every age and our refuge and strength in this present hour, come into our hearts as we bow humbly in Your presence. Help us to realize our dependence upon You, our constant need of Your strength, Your guidance, and Your love. Give us knowledge that You are always with us and that with You we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for an end to terrorism, for good will among our people, and for a faith in You which makes us strong, gives us courage, and helps us on our upward way. Keep our firefighters safe and protect us from floods.

May Your spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our troubles, and send us out into this day strong in You and in the power of Your might.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Ricci, Miranda Nelson, Sabrina Drake, Anna Marie Harmon, Alex Loethen, Savannah Feltrop, Faith Koenig, Jacoby Lefort, Gage Rethorn, James Bomen, Johanna Shumake, Sadie Rowden and Stella Sides.

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

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2102 through House Resolution No. 2214

PERFECTION OF HOUSE BILLS

HCS HB 161, relating to political subdivisions, was taken up by Representative Gatschenberger.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said section and line the following:

"247.225. Notwithstanding any provision of law to the contrary, a water supply district under this chapter in a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants shall be under the auspices of the public service commission for rates, charges, or other fees."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 161, Section 64.170, Page 3, Line 30, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.

67.2070. 1. Sections 67.2070 to 67.2073 shall be known and may be cited as the "STAR Bonds Financing Act".

2. As used in sections 67.2070 to 67.2073, the following terms mean:

(1) "Commence work", the manifest commencement of actual operations on the development site, such as erecting a building, excavating the ground to lay a foundation or a basement, or work of like description that a person with reasonable diligence can see and recognize as being done with the intention and purpose to continue work until the project is completed;

(2) "De minimus", an amount less than fifteen percent of the land area within a STAR bond project district;

(3) "Developer", any person, firm, corporation, partnership, or limited liability company other than a city and other than an agency, political subdivision, or instrumentality of the state;

(4) "Director", the director of the department of economic development;

(5) "Economic impact study", a study to project the financial benefit of the project to the local, regional, and state economies;

(6) "Eligible area", a historic theater, major tourism area, river walk canal facility, major multisport athletic complex, or a major commercial entertainment and tourism area as determined by the director;

(7) "Historic theater", a building constructed before the year 1940 that was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows, or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation office as eligible to be on the National Register of Historic Places;

(8) "Historic theater sales tax increment", the amount of any state and local sales tax revenue imposed under state law collected from taxpayers doing business within a historic theater that is in excess of the amount of such taxes collected before the designation of the building as a historic theater for purposes of the STAR bonds financing act;

(9) "Major commercial entertainment and tourism area", an area that may include, but not be limited to, a major multisport athletic complex;

(10) "Major multisport athletic complex", an athletic complex that is used for the training of athletes, the practice of athletic teams, the playing of athletic games, or the hosting of events. Such project may include playing fields, parking lots, and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage, and temporary hospitality facilities, but excluding hotels, motels, restaurants, and retail facilities, not directly related to or necessary to the operation of such facility;

(11) "Major tourism area", an area for which the director has made a finding that capital improvements costing not less than one hundred million dollars will be built in the state;

(12) "Market study", a study to determine the ability of the project to gain market share locally, regionally, and nationally, and the ability of the project to gain sufficient market share to:

(a) Remain profitable past the term of repayment; and

(b) Maintain status as a significant factor for travel decisions;

(13) "Market impact study", a study to measure the impact of the proposed project on similar businesses in the project's market area;

(14) "Museum facility", a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants, and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state, or a nonprofit

corporation, shall be managed by the state, a city, county, other political subdivision of the state, or a nonprofit corporation, and shall not be leased to any developer and shall not be located within any retail or commercial building;

(15) "Project", a STAR bond project;

(16) "Project costs":

(a) Costs necessary to implement a STAR bond project plan;

(b) Project costs includes costs incurred for:

a. Acquisition of real property within the STAR bond project area;

b. Payment of relocation assistance under a relocation assistance plan as provided in the STAR bonds

financing act;

c. Site preparation including utility relocations;

d. Sanitary and storm sewers and lift stations;

e. Drainage conduits, channels, levees, and river walk canal facilities;

f. Street grading, paving, graveling, macadamizing, curbing, guttering, and surfacing;

g. Street light fixtures, connection, and facilities;

h. Underground gas, water, heating, and electrical services and connections located within the public

right-of-way;

i. Sidewalks and pedestrian underpasses or overpasses;

j. Drives and driveway approaches located within the public right-of-way;

k. Water mains and extensions;

l. Plazas and arcades;

m. Parking facilities and multilevel parking structures devoted to parking only;

n. Landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations, and similar

amenities;

o. Major multisport athletic complex;

p. Museum facility;

q. Related expenses to redevelop and finance the project, except that for a STAR bond project financed with special obligation bonds payable from the revenues described in paragraph (a) of subdivision (1) of subsection 1 of section 67.2072, such expenses shall require prior approval by the director;

(c) Project costs shall not include:

a. Costs incurred in connection with the construction of buildings or other structures;

b. Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a STAR bond project district;

c. Salaries for local government employees;

d. Moving expenses for employees of the businesses locating within the STAR bond project district;

e. Property taxes for businesses that locate in the STAR bond project district;

f. Lobbying costs;

g. Any bond origination fee charged by the city or county;

h. Any personal property that is subject to taxation under this state's laws; and

i. Travel, entertainment, and hospitality;

(17) "Projected market area", any area within the state in which the project is projected to have a substantial fiscal or market impact upon businesses in such area;

(18) "River walk canal facilities", a canal and related water features that flow through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to, pedestrian walkways and promenades, landscaping, and parking facilities;

(19) "Sales tax and revenue", those revenues available to finance the issuance of special obligation bonds as identified in the STAR bond financing act;

(20) "STAR bond", a sales tax and revenue bond;

(21) "STAR bond project", an approved project to implement a project plan for the development of the established STAR bond project district with a capital investment of at least fifty million dollars and fifty million dollars in projected gross annual sales, or for areas outside of metropolitan statistical areas as defined by the federal Office of Management and Budget, an area for which the director finds that the project is an eligible area and one of the following:

(a) Would be of regional or statewide importance; or

(b) Is a major tourism area;

(22) "STAR bond project area", the geographic area within the STAR bond project district in which there may be one or more projects;

(23) "STAR bond project district", the specific area declared to be an eligible area as determined by the director in which the city or county may develop one or more STAR bond projects;

(24) "STAR bond project district plan", the preliminary plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings, facilities, and improvements in each that are proposed to be constructed or improved in each STAR bond project area;

(25) "STAR bond project plan", the plan adopted by a city or county for the development of a STAR bond project or projects in a STAR bond project district;

(26) "Substantial change", as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the STAR bond project district plan was approved;

(27) "Tax increment", that portion of the revenue derived from state and local sales, use, and transient guest tax collected from taxpayers doing business within that portion of a STAR bond project district occupied by a project that is in excess of the amount of base year revenue. For purposes of this subsection, the base year shall be the twelve-month period immediately before the month in which the STAR bond project district is established. The director shall determine base year revenue by reference to the revenue collected during the base year from taxpayers doing business within the specific area in which a STAR bond project district is subsequently established. For purposes of this subsection, revenue collected from taxpayers doing business within a STAR bond project district, or within a specific area in which a STAR bond project district is subsequently established shall not include local sales and use tax revenue that is sourced to jurisdictions other than those in which the project is located;

(28) "Taxpayer", a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group, or other entity that is subject to the tax imposed in chapter 143, 147, 148, or 153.

67.2071. 1. (1) The governing body of any city may establish one or more STAR bond projects in any area within such city or wholly outside the boundaries of such city. A STAR bond project wholly outside the boundaries of such city shall be approved by the governing body of the county in which the city is located by the passage of a county resolution. The governing body of a county may establish one or more STAR bond projects in any unincorporated area of the county. Such projects shall be eligible for financing by special obligation bonds payable from revenues described by subdivision (1) of subsection 1 of section 67.2072.

(2) Each STAR bond project shall first be approved by the director, if the director determines that the proposed project or complex sufficiently promotes, stimulates, and develops the general and economic welfare of the state. Upon approving the project, the director may approve such financing in an amount not to exceed fifty percent of the total costs including all project costs and any other costs related to the project. The proceeds of such STAR bond financing shall only be used to pay for incurred project costs.

(3) A project shall not be granted to any business that proposes to relocate its business from another area of the state into such city or county for the purpose of consideration for a STAR bond project.

(4) A project shall not be approved by the director if the required market study indicates a substantial negative impact upon businesses in the project or complex market area or the granting of such project or complex would cause a default in the payment of any outstanding special obligation bond payable from revenues authorized under subdivision (1) of subsection 1 of section 67.2072.

(5) The maximum maturity of special obligation bonds payable primarily from revenues described in subdivision (1) of subsection 1 of section 67.2072 to finance STAR bond projects under this section shall not exceed twenty years.

(6) The director shall not approve any application for STAR bond project financing that is submitted by a city or county more than one year after the STAR bond project district in which the STAR bond project is located has been established.

2. (1) When a city or county proposes to establish a STAR bond project district within an eligible area, the city or county shall adopt a resolution stating that the city or county is considering the establishment of a STAR bond project district. Such resolution shall:

(a) Give notice that a public hearing will be held to consider the establishment of a STAR bond project district and fix the date, hour, and place of such public hearing;

(b) Describe the proposed boundaries of the STAR bond project district;

(c) Describe the STAR bond project district plan;

(d) State that a description and map of the proposed STAR bond project district are available for inspection at a time and place designated;

(e) State that the governing body will consider findings necessary for the establishment of a STAR bond project district.

(2) (a) The city or county shall submit the proposed STAR bond project district to the director for a determination that the district is an eligible area. Upon the conclusion of the public hearing and a finding by the director that the proposed project district is an eligible area, the governing body of the city or county shall pass an ordinance or resolution.

(b) An ordinance or resolution for a STAR bond project district may establish the STAR bond project district, and such ordinance shall:

a. Make findings that the STAR bond project district proposed to be developed is a historic theater or a STAR bond project;

b. Contain a STAR bond project district plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each STAR bond project area. The boundaries of such STAR bond project district shall not include any area not designated in the notice required by this subsection;

c. Contain the legal description of the STAR bond project district.

(c) If no ordinance or resolution is passed by the city or county within thirty days from the conclusion of the public hearing, then such STAR bond project district shall not be established.

(3) The governing body of a city or county may establish a STAR bond project district within that city or such city may establish a district inclusive of land outside the boundaries of the city or wholly outside the boundaries of such city upon written consent of the governing body of the county. The governing body of a county may establish a STAR bond project district within the unincorporated area of the county. Before providing written consent, the governing body of the county shall provide notice and hold a hearing as is required for the establishment of a STAR bond project district.

(4) One or more STAR bond projects may be undertaken by a city or county within a STAR bond project district after such STAR bond project district has been established in the manner provided by this section.

(5) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the STAR bonds financing act if the governing body of the county or the school district levying taxes on such property determines by resolution adopted within thirty days following the conclusion of the hearing for the establishment of the STAR bond project district that the proposed STAR bond project district will have an adverse effect on such county or school district. The governing body of the county or the school district shall deliver a copy of such resolution to the city or county. The city or county shall within thirty days of receipt of such resolution pass an ordinance or resolution dissolving the STAR bond project district. The provisions of this subdivision shall not apply if the STAR bond project plan provides that ad valorem property tax revenues of the county or the school district levying taxes on such property will not be adversely impacted.

(6) No STAR bond project shall include a project for a gambling casino.

3. (1) One or more projects may be undertaken by a city or county within an established STAR bond project district. Any city or county proposing to undertake a STAR bond project shall prepare a STAR bond project plan in consultation with the planning commission of the city and in consultation with the planning commission of the county, if any, if such project is located wholly outside the boundaries of the city. Any such project plan may be implemented in separate development stages.

(2) Any city or county proposing to undertake a STAR bond project within a STAR bond project district shall prepare a feasibility study. The feasibility study shall contain the following, but the failure to include all information required in this subdivision shall not affect the validity of bonds issued under the STAR bonds financing act:

(a) Whether a STAR bond project's revenue and tax increment revenue and other available revenues under the STAR bonds financing act are expected to exceed or be sufficient to pay for the project costs;

(b) The effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from the revenues described in the STAR bonds financing act;

(c) A statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region;

(d) Visitation expectations;

(e) The unique quality of the project;

(f) An economic impact study;

(g) A market study;

- (h) A market impact study;
 - (i) Integration and collaboration with other resources or businesses;
 - (j) The quality of service and experience provided, as measured against national consumer standards for the specific target market;
 - (k) Project accountability, measured according to best industry practices;
 - (l) The expected return on state and local investment that the project is anticipated to produce;
 - (m) A statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the STAR bond project. If a portion of local sales and use taxes is so committed, the applicant shall describe the percentage of city and county sales and use taxes collected that are so committed and the date or dates on which the city and county sales and use taxes pledged to other uses can be pledged for repayment of bonds;
 - (n) An anticipated principal and interest payment schedule on the bond issue.
- (3) If the city or county determines the project is feasible, the project plan shall include:
- (a) A summary of the feasibility study;
 - (b) A reference to the district plan that identifies the project area that is set forth in the project plan that is being considered;
 - (c) A description and map of the project area to be redeveloped;
 - (d) The relocation assistance plan as described in section 67.2073;
 - (e) A detailed description of the buildings and facilities proposed to be constructed or improved in such area;
 - (f) Any other information the governing body of the city or county deems necessary to advise the public of the intent of the project plan.
- (4) A copy of the STAR bond project plan prepared by a city shall be delivered to the governing body of the county and of any school district levying taxes on property within the STAR bond project area. A copy of the STAR bond project plan prepared by a county shall be delivered to any school district levying taxes on property within the STAR bond project area.
- (5) Upon a finding by the planning commission that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the city, and a finding by the planning commission of the county, if any, with respect to a STAR bond project located wholly outside the boundaries of the city, that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the county, the governing body of the city or county shall adopt a resolution stating that the city or county is considering the adoption of the STAR bond project plan. Such resolution shall:
- (a) Give notice that a public hearing will be held to consider the adoption of the STAR bond project plan and fix the date, hour, and place of such public hearing;
 - (b) Describe the boundaries of the STAR bond project district within which the STAR bond project will be located and the date of establishment of such district;
 - (c) Describe the boundaries of the area proposed to be included within the STAR bond project area;
 - (d) State that the STAR bond project plan, including a summary of the feasibility study, market study, relocation assistance plan, financial guarantees of the prospective developer, and a description and map of the area to be redeveloped or developed are available for inspection during regular office hours in the office of the city clerk or county clerk, respectively.
- (6) (a) The date fixed for the public hearing to consider the adoption of the STAR bond project plan shall be not less than thirty nor more than seventy days following the date of the adoption of the resolution fixing the date of the hearing.
- (b) A copy of the city or county resolution providing for the public hearing shall be sent by the city by certified mail, return receipt requested, to the governing body of the county and by the city or county to any school district levying taxes on property within the proposed STAR bond project area. Copies also shall be sent by certified mail, return receipt requested, to each owner and occupant of land within the proposed STAR bond project area not more than ten days following the date of the adoption of the resolution. The resolution shall be published once in a newspaper within such city or county not less than one week nor more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the STAR bond project area shall be published with the resolution.
 - (c) At the public hearing, a representative of the city or county shall present the city's or county's proposed STAR bond project plan. Following the presentation of the STAR bond project area, all interested

persons shall be given an opportunity to be heard. The governing body may recess such hearing for good cause shown to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(7) The public hearing records and feasibility study shall be a public record as defined in chapter 610.

(8) Upon conclusion of the public hearing, the governing body may adopt the STAR bond project plan by ordinance or resolution passed upon a two-thirds vote of the members.

(9) After the adoption by the city or county governing body of a STAR bond project plan, the clerk of the city or county shall transmit a copy of the description of the land within the STAR bond project district, a copy of the ordinance or resolution adopting the plan and a map or plat indicating the boundaries of the district to the clerk, assessor, and treasurer of the county in which the district is located, and to the governing bodies of the county and school district that levy taxes upon any property in the district. Such documents shall be transmitted following the adoption or modification of the plan or a revision of the plan on or before January first of the year in which the increment is first allocated to the taxing subdivision.

(10) If the STAR bond project plan is approved, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meetings of any city or county whose bonding authority will be used in the STAR bond project, evidencing that a STAR bond project plan has been created, discussed, and adopted by the city or county in a regularly scheduled open public meeting.

(11) Any substantial changes to the STAR bond project plan as adopted shall be subject to a public hearing following publication of notice thereof at least twice in a newspaper located within such city or county.

(12) Any STAR bond project shall be completed within twenty years from the date of the approval of the STAR bond project plan. The maximum maturity on bonds issued to finance projects under the STAR bonds financing act shall not exceed twenty years.

(13) Residents of this state shall be given priority consideration for employment in construction projects located in a STAR bond project area.

(14) Any developer of a STAR bond project shall commence work on the project within two years from the date of adoption of the STAR bond project plan. If the developer fails to commence work on the STAR bond project within the two-year period, funding for such project shall cease and the developer of such project or complex shall have one year to appeal to the director for reapproval of such project and the funding for it. If the project is reapproved, the two-year period for commencement shall apply.

4. (1) The director shall review the STAR bond project plan, feasibility study, and market study, along with other supporting documentation, and determine whether to approve a request and, if approved, issue an approval letter for a STAR bond project based upon the requirements within the STAR bonds financing act and rules and regulations developed by the director.

(2) A special obligation bond issue shall bear interest at a reasonable rate as of the time of sale of the bonds, taking into account such factors as current market conditions, the nature and degree of risk associated with repayment of the bonds, and other relevant factors.

5. (1) Any city or county that has received approval for a STAR bond project may request STAR bond issuance authority to issue additional STAR bonds in an amount in excess of the amount previously approved by the director. Any city or county requesting such additional STAR bond issuance authority shall make application for approval to the director. Such application shall include all information required to be submitted to the director for initial approval of a STAR bond project.

(2) The director shall review all of the information submitted by the city or county in the request for additional STAR bond issuance authority and determine whether to approve a request and, if approved, issue an approval letter for additional STAR bond issuance authority based upon the requirements within this act, and rules and regulations developed by the director.

(3) The director may approve such additional STAR bond issuance authority in an amount not to exceed fifty percent of the total costs of the addition or expansion to the STAR bond project for which the additional STAR bond issuance authority is sought, including all project costs and any other costs related to the project addition or expansion. The proceeds of such additional STAR bond financing shall only be used to pay for incurred project costs of such addition or expansion.

67.2072. 1. (1) Any city or county shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the STAR bonds financing act. Such special obligation bonds shall be made payable, both as to principal and interest:

(a) From revenues of the city or county derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under the STAR bonds financing act, including historic theater sales tax increments;

(b) From any private sources, contributions, or other financial assistance from the state or federal government;

(c) From a pledge of one hundred percent of the tax increment revenue received by the city from any local sales and use taxes, including the city's share of any county sales tax, that are collected from taxpayers doing business within that portion of the city's STAR bond project district occupied by a STAR bond project, except for amounts committed to other uses by election of voters or pledged to bond repayment before the approval of the STAR bond project;

(d) At the option of the county in a city STAR bond project district, from a pledge of all of the tax increment revenues received by the county from any local sales and use taxes that are collected from taxpayers doing business within that portion of the city's STAR bond project district, except for amounts committed to other uses by election of voters or pledged to bond repayment before the approval of a STAR bond project;

(e) In a county STAR bond project district, from a pledge of one hundred percent of the tax increment revenue received by the county from any county sales and use tax, but excluding any portions of such taxes that are allocated to the cities in such county under state law, that are collected from taxpayers doing business within that portion of the county's STAR bond project district occupied by a STAR bond project;

(f) From a pledge of all of the tax increment revenue received from any state sales taxes that are collected from taxpayers doing business within that portion of the city's or county's STAR bond project district occupied by a STAR bond project;

(g) At the option of the city or county and with approval of the director, from all or a portion of the transient guest tax of such city or county;

(h) At the option of the city or county and with approval of the director:

a. From a pledge of all or a portion of increased revenue received by the city or county from franchise fees collected from utilities and other businesses using public right-of-way within the STAR bond project district; or

b. From a pledge of all or a portion of the revenue received by a city or county from local sales taxes or local transient guest and local use taxes; or

(i) By any combination of these methods.

(2) The city or county may pledge such revenue to the repayment of such special obligation bonds before, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(3) Bonds issued under subdivision (1) of this subsection shall not be general obligations of the city or the county, nor in any event shall they give rise to a charge against the city's or county's general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in subdivision (1) of this subsection, and such bonds shall so state on their face. Bonds issued under the provisions of subdivision (1) of this subsection shall be special obligations of the city or county and are declared to be negotiable instruments. Such bonds shall be executed by the mayor and clerk of the city or the presiding commissioner and the county clerk and sealed with the corporate seal of the city or county. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city or by resolution of the county. All special obligation bonds issued under the STAR bonds financing act and all income or interest therefrom shall be exempt from all state taxes. Such special obligation bonds shall not be required to contain any recital that when such bonds have been duly registered, such registration shall import absolute verity and shall be conclusive in favor of all persons purchasing such bonds, or that all proceedings and conditions precedent have been had and performed to authorize the issuance of such bonds and that such bonds shall be negotiable, but such bonds shall contain the following recitals:

(a) The authority under which such special obligation bonds are issued;

(b) Such bonds are in conformity with the provisions, restrictions, and limitations thereof; and

(c) That such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in subdivision (1) of this subsection.

(4) Any city or county issuing special obligation bonds under the STAR bonds financing act may refund all or part of such issue as provided in state law.

2. For each project financed with special obligation bonds payable from the revenues described in subdivision (1) of subsection 1 of this section, the city or county shall prepare and submit to the director by October first of each year a report describing the status of any projects within such STAR bond project area, any expenditures of the proceeds of special obligation bonds that have occurred since the last annual report, and any expenditures of the proceeds of such bonds expected to occur in the future, including the amount of sales tax revenue, how such revenue has been spent, the projected amount of such revenue, and the anticipated use of such

revenue. The department of economic development shall compile this information and submit a report annually to the governor and the legislature by February first of each year.

3. A city or county may use the proceeds of special obligation bonds or any uncommitted funds derived from sources set forth in this section to pay the bond project to implement the STAR bond project plan.

67.2073. 1. In the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in subdivision (1) of subsection 1 of section 67.2072, no public funds shall be used to pay the holders thereof except as otherwise specifically authorized in the STAR bonds financing act.

2. (1) Any addition of area to the STAR bond project district, or any substantial change to the STAR bond project district plan, shall be subject to the same procedure for public notice and hearing as is required for the establishment of the STAR bond project district.

(2) A city or county may remove real property from a STAR bond project district by an ordinance or resolution of the governing body respectively.

(3) A city or county may divide the real property in a STAR bond project district, including real property in different project areas within a STAR bond project district, into separate STAR bond project districts. Any division of real property within a STAR bond project district into more than one STAR bond project district shall be subject to the same procedure of public notice and hearing as is required for the establishment of the STAR bond project district.

(4) If a city or county has undertaken a STAR bond project within a STAR bond project district, and either the city or county wishes to subsequently remove more than a de minimus amount of real property from the STAR bond project district, or the city or county wishes to subsequently divide the real property in the STAR bond project district into more than one STAR bond project district, then before any such removal or division the city or county shall provide a feasibility study that shows that the tax revenue from the resulting STAR bond project district within which the STAR bond project is located is expected to be sufficient to pay the project costs.

(5) Removal of real property from one STAR bond project district and addition of all or a portion of that real property to another STAR bond project district may be accomplished by the adoption of an ordinance or resolution, and in such event the determination of the existence or nonexistence of an adverse effect on the county or school district under subsection 2 of section 67.2071 shall apply to both such removal and such addition of real property to a STAR bond project district.

3. (1) Any city or county that has adopted a STAR bond project plan may purchase or otherwise acquire real property in connection with such project plan. Upon a two-thirds vote of the members of the governing body thereof, a city or county may acquire by condemnation any interest in real property, including a fee simple title thereto, that it deems necessary for or in connection with any project plan of an area located within the project district; however, eminent domain shall be used only as provided in state law. Any such city or county may exercise the power of eminent domain in the manner provided in state law. In addition to any compensation or damages allowed under provisions governing eminent domain, such city or county shall also provide for the payment of relocation assistance as provided in subsection 4 of this section.

(2) No real property shall be taken using eminent domain by any municipal or county government for any economic development project, as defined in section 523.271, funded by Star Bonds if such property is acquired in order to be transferred to any private entity prior to the expiration of the Star Bond project.

4. Before any STAR bond project shall be initiated, a relocation assistance plan shall be approved by the governing body of the city or county proposing to undertake the project. Such relocation assistance plan shall:

(1) Provide for relocation payments to be made to persons, families, and businesses who move from real property located in the STAR bond project district, or who move personal property from real property located in the STAR bond project district as a result of the acquisition of the real property by the city or county in carrying out the provisions of the STAR bonds financing act. With respect to any STAR bond project, such payments shall not be less than five hundred dollars;

(2) Provide that no persons or families residing in the STAR bond project district shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents within the person's or family's ability to pay. Such housing units shall be suitable to the needs of such displaced persons or families and must be a decent, safe, sanitary, and otherwise standard dwelling; and

(3) Provide for the payment of any damages sustained by a seller, as defined in section 144.010, by reason of the liquidation of inventories necessitated by relocation from the STAR bond project district.

5. (1) Notwithstanding any other provision of law to the contrary, copies of all sales, use, and transient guest tax returns of sellers, as defined in section 144.010, filed with the director in connection with a STAR bond project area or STAR bond project, for which sales, use, and transient guest tax revenues are pledged or

otherwise intended to be used in whole or in part for the payment of bonds issued to finance project costs in such STAR bond project area, shall be provided by the director to the bond trustee, escrow agent, or paying agent for such bonds upon the written request of the city or county within fifteen days of receipt by the director. The bond trustee, escrow agent, or paying agent shall keep such sales, use, and transient guest tax returns of sellers and the information contained therein confidential, but may use such information for purposes of allocating and depositing such sales, use, and transient guest tax revenues in connection with the bonds used to finance project costs in such STAR bond project area. Except as otherwise provided herein, the sales, use, and transient guest tax returns received by the bond trustee, escrow agent, or paying agent shall be subject to the confidentiality provisions in chapter 32.

(2) The director shall determine when the amount of sales tax and other revenues that have been collected and distributed to the bond debt service or reserve fund is sufficient to satisfy all principal and interest costs to the maturity date or dates of any special obligation bonds issued by a city or county to finance a STAR bond project. Thereafter, all sales tax and other revenues shall be collected and distributed in accordance with applicable law.

6. For projects involving the use of financing under paragraph (e) of subdivision (1) of subsection 1 of section 67.2072, the director shall set a limit on the total amount of such special obligation bonds that may be issued for a STAR bond project. An issue of special obligation bonds shall bear interest at a reasonable rate as of the time of sale of the bonds, taking into account such factors as current market conditions, the nature and degree of risk associated with repayment of the bonds, and other relevant factors.

7. (1) STAR bond projects using state sales tax financing under section 67.2072 shall be audited by an independent certified public accountant annually at the expense of the city or county. The audit report shall supplement the required annual report required.

(2) Such audits shall determine whether bond financing obtained under section 67.2072 is being used only for authorized purposes. Audit results shall be reported to the governor, the director of the department of economic development, the senate committee on commerce, consumer protection, energy and the environment, the house committee on economic development, and any successor committees thereto, and the director, during the legislative session immediately following the audit.

(3) If audit findings indicate that bond funds have been used for unauthorized or ineligible purposes, the city or county shall repay to the bond fund all such unauthorized or ineligible expenditures. Such city or county shall enter into a repayment agreement with the director specifying the terms of such repayment obligation.

8. The STAR bonds financing act shall expire on June 30, 2018."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting immediately after said line the following:

"184.800. Sections 184.800 to 184.880 shall be known as the "Missouri Museum **and Cultural** District Act".

184.805. 1. As used in sections 184.800 to 184.880, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Cultural asset", a building or area used for the purposes of promoting community culture and the arts, recreation and knowledge, including for purposes of supporting or promoting the performing arts, theater, music, entertainment, public spaces, public libraries or other public assets;

(3) "Disaster area", an area located within a municipality for which public and individual assistance has been declared by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts or has adopted an ordinance approving a redevelopment plan within three years after the President declares such disaster;

(4) "District", a museum **and cultural** district organized pursuant to sections 184.800 to 184.880;

[3)] (5) "Museum", a building or area used for the purpose of exhibiting and/or preserving objects or specimens of interest to the public, including but not limited to **photographs**, art, **historical items**, **items** of natural history, and items connected with wildlife [and], conservation, **and historical events**;

[4)] (6) "Owner of real property", the owner of the fee interest in the real property[, except that when the real property is subject to a lease of ten or more years, the lessee rather than the owner of the fee interest shall be considered as the "owner of real property"]. An owner may be either a natural person or a [juridical] **legal** entity.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 184.800 to 184.880, the following terms shall have the meanings given:

- (1) "Approval of the required majority" [or "direct voter approval"], a simple majority;
- (2) "Qualified voters", the owners of real property located within the proposed district [or any person residing in the district who is a legal voter within the district].

184.810. 1. A district **where the majority of the property is located within a disaster area** may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to [a museum] **one or more museums and cultural assets** or to assist in such activity.

2. A district is a political subdivision of the state.

3. No structures operated by a museum **and cultural** district board pursuant to sections 184.800 to 184.880 shall be named for a commercial venture.

184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum **and cultural** district pursuant to the provisions of sections 184.800 to 184.880 shall be filed [on or before December 31, 1998] **within five years after the Presidential declaration establishing the disaster area**.

2. The proposed district area [shall be contiguous and] may contain **one or more parcels of real property, which may or may not be contiguous and may further include** any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a legal voter resident within the proposed district];

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums **and cultural asset or cultural assets** and a general plan for [its] operation **of each museum and each cultural asset within the district**; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition [or any legal voter resident within the district] shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner [or legal voter] in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

184.820. 1. Any owner of real property within the proposed district [and any legal voter who is a resident within the proposed district] may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall determine and declare the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be deemed a final judgment for purposes of appeal.

184.827. A museum **and cultural** district created pursuant to sections 184.800 to 184.880 shall be governed by a board of directors consisting of [eight] **five** members[. Five of the members] **who** shall be elected as provided in section 184.830. [Three members of the board of directors shall be appointed by the governor with the advice and consent of the senate for a three-year term. Not more than two of the three members appointed by the governor shall

be of the same political party. The governor shall appoint an interim director to complete the unexpired term of a director caused by resignation or disqualification who was appointed by the governor.]

184.830. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, call a meeting of the owners of real property within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, to be composed of owners or representatives of owners of real property in the district.

2. The owners of real property, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election. At the election, each acre of real property within the district shall be considered as a voting interest, and each owner of real property shall have one vote in person or by proxy for every acre of real property owned within the district for each director to be elected. A director need not be a legal voter of the district.

3. Each director shall serve for a term of three years and until his **or her** successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the owners of real property called by the board. Each successor director shall serve a three-year term. The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

184.835. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors, the board shall meet. At its first meeting and after each election of new board members the board shall elect a chairman, a secretary, a treasurer and such other officers as it deems necessary from its members. A director may fill more than one office, except that a director may not fill both the office of chairman and secretary.

3. [The board may employ such employees as it deems necessary; provided, however, that the board shall not employ any employee who is related within the fourth degree by blood or marriage to a member of the board.

4.] At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

[5.] 4. A simple majority of the board shall constitute a quorum. If a quorum exists, a **simple** majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

[6.] 5. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

184.840. 1. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating [a museum] **one or more museums and cultural assets**, conducting educational programs in connection therewith [for any public purpose] which is reasonably connected with the museum **or cultural asset** and for any other purposes authorized by sections 184.840 to 184.880. Such funds may be derived from any funding method which is authorized by sections 184.800 to 184.880 and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency thereof, a political subdivision of the state or private sources.

2. The general assembly may annually for a period of twenty years after [July 7, 1997] **January 1, 2013**, make appropriations from general revenue to a district which is created pursuant to the provisions of sections 184.800 to 184.880.

184.845. 1. The board of the district may impose a museum **and cultural** district sales tax by resolution on all retail sales made in such museum **and cultural** district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum **and cultural** district sales tax may be imposed for any museum **or cultural** purpose designated by the board of the museum **and cultural** district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to [either the legal voters of the district and/or to the owners of real property within the district] **the qualified voters**, who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter following adoption of the tax by the **board or qualified voters, if the board elects to submit the question of whether to impose a sales tax to the** qualified voters.

3. In each museum **and cultural** district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum **and cultural** district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum **and cultural** district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section [144.825] **144.285**.

5. All revenue received by a museum **and cultural** district from the tax authorized by this section which has been designated for a certain museum **or cultural** purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum **or cultural** purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum **or cultural** district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum **and cultural** district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum **and cultural** district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the museum **and cultural** district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the museum **and cultural** district.

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the museum **and cultural** district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum **and cultural** district shall be deposited by the museum **and cultural** district in a special fund to be expended for the purposes authorized in this section. The museum **and cultural** district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum **and cultural** district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum **and cultural** district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has

incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects.

184.847. 1. The board of a district may impose an admissions fee on every person, firm, association, company or partnership of whatever form offering or managing any form of entertainment, amusement, athletic or other commercial or nonprofit event or venue for which admission is charged and which is presented within the district. The fee shall be at a rate of no more than one dollar per seat or admission sold. This fee is in addition to any state or local tax. Such admission fee may be imposed for any museum and cultural purpose designated by the board of the museum and cultural district. If the resolution is adopted, the board of the district may submit the question of whether to impose such admission fee authorized by this section to the qualified voters, who shall have the same voting interests as with the election of members of the board of the district. The question shall specify the particular types of events or venues that shall be subject to such admission fee.

2. The admission fee authorized by this section shall become effective on the first day of the second calendar quarter following the adoption of the admission fee by the qualified voters.

3. All revenue received by a museum and cultural district from the admission fee authorized by this section shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum or cultural purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum and cultural district funds.

4. On and after the effective date of any admission fee imposed pursuant to this section, the museum and cultural district shall perform all functions incident to the administration, collection, enforcement, and operation of the admission fee. The admission fee imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the museum and cultural district.

184.850. 1. A district may contract and incur obligations appropriate to accomplish its purposes.

2. A district may enter into any lease or lease-purchase agreement for or with respect to any real or personal property necessary or convenient for its purposes.

3. A district may enter into operating agreements and/or management agreements [with not-for-profit corporations] to operate [the] **a museum or cultural asset** or carry out any other authorized purposes or functions of the district.

4. A district may borrow money for its purposes at such rates of interest as the district may determine.

5. A district may issue bonds, notes and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, security agreement or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 184.800 to 184.880. The district shall also have the power and authority to secure financing on the issuance of bonds for financing through another political subdivision or an agency of the state.

6. A district may enter into labor agreements, establish all bid conditions, decide all contract awards, pay all contractors and generally supervise the construction of [the] **a museum or cultural asset** project.

7. A district may hire employees, enter leases and contracts and otherwise take such actions and enter into such agreements as are necessary or incidental to the ownership, operation, and maintenance of each museum and each cultural asset within the district.

184.865. The district may contract with a federal agency, a state or its agencies and political subdivisions, a corporation, partnership **or limited partnership, limited liability company**, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating [a project] **any museum or cultural asset within the district** or to assist in such activity]; provided, however, that any contract providing for the overall management and operation of the museum for the district shall only be with a governmental entity or a not-for-profit corporation]."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 161, Page 3, Section 64.170, Line 30, by inserting after all of said section and line the following:

"67.1368. 1. The governing body of any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants as the county seat may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the county for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of county) at a rate of (insert rate of percent) percent for the promotion of the county, growth of the region, and economic development?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Section 77.675, Page 12, Line 15, by inserting after all of said section and line the following:

"94.1060. 1. The governing body of any city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the promotion of the city, growth of the region, and economic development?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"321.320. **1.** If any property, located within the boundaries of a fire protection district, is included within a city having a population of forty thousand inhabitants or more, which city is not wholly within the fire protection district, and which city maintains a city fire department, the property is excluded from the fire protection district.

2. The provisions of this section shall not apply where the fire protection district's boundaries are located within any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants and in any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than six thousand but fewer than seven thousand inhabitants as the county seat when such district serves any city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants and located in any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants. When any city having a population of forty thousand inhabitants or more annexes property located within the boundaries of such district, the provision of fire and emergency medical services following annexation shall be governed by subsections 2 and 3 of section 72.418."; and

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"321.017. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board **in the same county or an adjacent fire or ambulance district where such person is employed** while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board."; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"238.272. The state auditor [shall] **may** audit each district not [less] **more** than once every three years[, and may audit more frequently if the state auditor deems appropriate]. The costs of this audit shall be paid by the district **and shall not exceed the greater of three percent of the gross revenues received by the transportation district or three percent of the expenditures made by the transportation district.**"; and

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

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

On motion of Representative Gatschenberger, **HCS HB 161, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS HB 161, as amended**, was ordered perfected and printed.

HCS HB 348, relating to Kansas City school board elections, was taken up by Representative Neth.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 348, Page 13, Section 115.300, Lines 1-2, by deleting the phrase: "[fifth] **fourteenth**" on said line and inserting in lieu thereof the phrase:

"fifth"; and

Further amend said section and page, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"party. [Absentee ballots shall not]"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 348, Section 115.115, Pages 4 and 5, Section 115.277, Pages 6 and 7, and Section 115.283, Pages 7 to 12, by removing all of said sections from the bill; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 348, Page 21, Section 115.601, Line 48, by inserting after all of said section and line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person's election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, [two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city] **members of the committee shall be elected from the districts of each state representative that are in any way contained in the county in the following manner: within six months after each legislative reapportionment, each portion of a legislative district contained in the county shall constitute a single committee district. Two men and two women shall be elected from each committee district formed from a legislative district that is wholly contained in the county as members of the committee, two men and two women shall be elected from each committee district formed from a legislative district that is predominantly contained in the county as members of the committee, and one man and one woman shall be elected from each committee district formed from a legislative district that is partially but not predominantly contained in the county as members of the committee.**

3. [In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4.] In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

[5.] 4. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

[6.] 5. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

[7.] 6. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt

a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 348, Page 5, Section 115.115, Line 61, by inserting after all of said section and line the following:

"115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration. **Any documentation presented under this subsection must contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted.**

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote."; 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 Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer

Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Cox	Flanigan	Hansen	Jones 50
Pierson	Redmon	Scharnhorst	Smith 85	

On motion of Representative Neth, **HCS HB 348, as amended**, was adopted.

On motion of Representative Neth, **HCS HB 348, as amended**, was ordered perfected and printed.

HCS HB 859, relating to concealed carry permits, was taken up by Representative Brattin.

Representative Funderburk assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, by inserting after all of said section and line the following:

"160.665. 1. Any school district within the state may designate one or more elementary or secondary school teachers or administrators as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher or administrator. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.

2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms in any school in the district and shall be required to keep such firearm on his or her person at all times while on school property. Any school protection officer who violates this subsection shall be removed immediately from the classroom and subject to employment termination proceedings.

3. Any person designated as a school protection officer may detain, on view, any person the officer sees violating or who such officer has reasonable grounds to believe has violated any law of this state, including a misdemeanor or infraction, or any policy of the school.

4. Any person detained by a school protection officer for violation of any state law shall, as soon as practically possible, be turned over to a law enforcement officer. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

5. Any person detained by a school protection officer for violation of any school policy shall, as soon as practically possible, be turned over to a school administrator. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

6. Any teacher or administrator of an elementary or secondary school who seeks to be designated as a school protection officer shall request such designation, in writing, and submit it to the superintendent of the school district which employs him or her as a teacher or administrator. Along with this request the teacher or administrator shall also submit proof that he or she has a valid concealed carry endorsement and shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

7. No school district may designate a teacher or administrator as a school protection officer unless such person has a valid concealed carry endorsement and has successfully completed a school protection officer training program which has been approved by the director of the department of public safety.

8. Any school district which designates a teacher or administrator as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation which shall include the following:

- (1) The full name, date of birth, and address of the officer;
- (2) The name of the school district; and
- (3) The date such person was designated as a school protection officer.

Notwithstanding any other law, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a sunshine request made under chapter 610.

9. A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer, in writing, of the revocation. The school district shall also within thirty days of the revocation notify the director of the department of public safety, in writing, of the revocation of the designation of such person as a school protection officer.

10. The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies."; and

Further amend said bill, Section 571.030, Page 7, Line 151, by inserting after all of said section and line the following:

"571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No driver's license or nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under section 17, article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, **unless the person**

with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a driver's license or nondriver's license containing a concealed carry endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement and the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing."; and

Further amend said bill, Section 571.198, Page 25, Line 2, by inserting after all of said section and line the following:

"590.010. As used in this chapter, the following terms mean:

- (1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;
- (2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;
- (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;
- (4) "POST commission", the peace officer standards and training commission;
- (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week;
- (6) **"School protection officer", an elementary or secondary school teacher or administrator who has been designated as a school protection officer by a school district.**

590.200. 1. The POST commission shall:

- (1) Establish minimum standards for the training of school protection officers;**
- (2) Set the minimum number of hours of training required for a school protection officer; and**
- (3) Set the curriculum for school protection officer training programs.**

2. At a minimum this training shall include:

- (1) Instruction specific to the prevention of incidents of violence in schools;**
- (2) The handling of emergency or violent crisis situations in school settings;**
- (3) A review of all state criminal laws;**
- (4) Training involving the use of defensive force; and**
- (5) Training involving the use of deadly force.**

590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety.

590.207. 1. Notwithstanding any other provision of law, any person designated as a school protection officer under the provisions of section 160.665 who fails to properly carry his or her concealed weapon on his or her person at all times while on school property as proscribed under subsection 2 of section 160.655 shall be guilty of a class A misdemeanor and shall be subject to employment termination proceedings within the school district.

2. Any school employee who discloses any information collected under subsection 8 of section 160.655 that contains identifying personal information about any person designated as a school protection officer to

anyone other than those authorized to receive the information under subsection 8 of section 160.655 shall be guilty of a class B misdemeanor and shall be subject to employment termination proceedings within the school district."; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

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

PRESENT: 000

ABSENT WITH LEAVE: 007

Conway 10	Conway 104	English	Lair	Leara
Molendorp	Smith 85			

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

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Otto	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 039

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	English	Englund
Gardner	Hodges	Hummel	Kelly 45	Kirkton
Kratky	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Pace
Peters	Pierson	Rizzo	Runions	Schupp
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Conway 10	Conway 104	Leara	Molendorp	Roorda
Smith 85				

HCS HB 859, as amended, was laid over.

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

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Cox.

PERFECTION OF HOUSE JOINT RESOLUTION

Representative Kelly (45) moved that **HCS HJR 14** be recommitted to the Committee on Budget.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 859, as amended, relating to concealed carry permits, was again taken up by Representative Brattin.

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.196, Line 15, by inserting after all of said line the following:

"3. The department of revenue shall surrender to the Missouri state highway patrol all state-owned identification processing equipment, including electronics, copiers, printers, computers, monitors, and cameras, the department no longer uses in processing applications for permits, driver licenses or non-driver licenses. The Missouri state highway patrol shall disburse any and all such equipment to any county sheriff as deemed necessary. The county sheriff or his or her agent is authorized to dispose of any such equipment in any manner he or she finds necessary. The proceeds from the sale of any such equipment shall be deposited into the County Sheriff's Revolving Fund established in section 50.535."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.198, Line 2, by inserting after all of said line the following:

"Section 1. Notwithstanding any other state law to the contrary, no state agency shall disclose to the federal government the statewide list of conceal carry holders. Nothing in this section shall be construed to restrict the use of the Missouri uniform law enforcement system for criminal investigations."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, by inserting after all of said section and line, the following:

"571.018. 1. Any person who has been found guilty or pleaded guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense, regardless of whether use of a firearm is an element of the subsequent felony offense, and during the commission of such felony offense the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm is guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. Such offense shall be in addition to and not in lieu of any underlying felony offense or any other offense for which such person may be charged and found guilty of or plead guilty or nolo contendere to.

2. Any person who violates the provisions of this section shall be subject to the following terms of imprisonment:

- (1) For possession of a firearm during the commission of a felony, a term of imprisonment of ten years;**
- (2) For displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony, a term of imprisonment of twenty years; and**
- (3) For discharging a firearm during the commission of a felony, a term of imprisonment of life.**

The terms of imprisonment in this subsection shall be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

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

- (1) "Firearm", any weapon that is designed or adapted to expel a projectile by the action of an explosion;**
- (2) "Possession", with respect to a firearm, carrying it on the person. Possession may also be established by demonstrating that the person had a firearm within immediate physical reach with ready access and the intent to use the firearm during the commission of a felony.**

4. This section shall not apply to law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment to perform their lawful duties."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 859, Page 2, Section 50.535, Line 2, by deleting the words "subsections 10 and 11" and inserting in lieu thereof the following:

"[subsections] subsection 10 [and 11]"; and

Further amend said page and section, Line 11, by inserting an opening and closing bracket around the words "or renewals"; and

Further amend said page and section, Line 25, by inserting an opening and closing bracket around the words "and renewal"; and

Further amend said section, Page 3, Line 35, by deleting the number "12" and inserting in lieu thereof the words "[12] 11"; and

Further amend said section, Page 3, Line 41, by inserting after said line the following:

"302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. [Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101.] The fee for nondriver's licenses issued for a period exceeding three years is six dollars [or three dollars for nondriver's licenses issued for a period of three years or less]. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a [U.S.] **United States** citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536."; and

Further amend said bill, Page 7, Section 571.030, Line 151, by inserting after said line the following:

"571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for [a period of three years from the date of issuance or renewal] **life unless it is suspended or revoked**. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:
(a) Has assumed residency in this state; or
(b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;
(2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;
(b) Is a member of the Armed Forces stationed in Missouri; or
(c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;
(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a

controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;

(5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

(7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

(8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

(9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the

requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 [or 11] of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. [Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.] The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. [For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12.] For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible for such concealed carry endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) The official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the order, warrant, discharge, or commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding the driver's license or nondriver's license containing the concealed carry endorsement shall return it to the individual.

(4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the driver's license or nondriver's license with the concealed carry endorsement to the department of revenue. The department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and shall report the change in status of the concealed carry endorsement to the Missouri uniform law enforcement system. The director of revenue shall immediately remove the endorsement issued pursuant to sections 571.101 to 571.121 from the individual's driving record within three days of the receipt of the notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

2. [A concealed carry endorsement shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and the required renewal fee by the sheriff of the county of the applicant's residence. The renewal application shall contain the same required information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current driver's license or nondriver's license containing a concealed carry endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a certificate of qualification which contains the date such certificate was renewed.

3. A person who has been issued a certificate of qualification for a concealed carry endorsement who fails to file a renewal application on or before its expiration date must pay an additional late fee of ten dollars per month for each month it is expired for up to six months. After six months, the sheriff who issued the expired certificate shall notify the director of revenue that such certificate is expired. The director of revenue shall immediately cancel the concealed carry endorsement and remove such endorsement from the individual's driving record and notify the individual of such cancellation. The notice of cancellation of the endorsement shall be conducted in the same manner as described in subsection 1 of this section. Any person who has been issued a certificate of qualification for a concealed carry

endorsement pursuant to sections 571.101 to 571.121 who fails to renew his or her application within the six-month period must reapply for a new certificate of qualification for a concealed carry endorsement and pay the fee for a new application. The director of revenue shall not issue an endorsement on a renewed driver's license or renewed nondriver's license unless the applicant for such license provides evidence that he or she has renewed the certification of qualification for a concealed carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to 571.121.] If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the director shall renew the driver's license or nondriver's license without the endorsement appearing on the license if the applicant is otherwise qualified for such renewal.

[4.] 3. Any person issued a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the department of revenue and the sheriffs of both the old and new jurisdictions of the endorsement holder's change of residence within thirty days after the changing of a permanent residence. The endorsement holder shall furnish proof to the department of revenue and the sheriff in the new jurisdiction that the endorsement holder has changed his or her residence. The sheriff of the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with notification of a change in residence. The change of residence shall be made by the department of revenue onto the individual's driving record and the new address shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

[5.] 4. Any person issued a driver's license or nondriver's license containing a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her designee of the endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall furnish a statement to the sheriff that the driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a driver's license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue a new certificate of qualification within three working days of being notified by the concealed carry endorsement holder of its loss or destruction. The reissued certificate of qualification shall contain the same personal information, including expiration date, as the original certificate of qualification. The applicant shall then take the certificate to the department of revenue, and the department of revenue shall proceed on the certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, the director of revenue shall issue a driver's license or nondriver's license containing a concealed carry endorsement if the applicant is otherwise eligible to receive such license.

[6.] 5. If a person issued a concealed carry endorsement changes his or her name, the person to whom the endorsement was issued shall obtain a corrected certificate of qualification for a concealed carry endorsement with a change of name from the sheriff who issued such certificate upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected certificate of qualification. The endorsement holder shall furnish proof of the name change to the department of revenue and the sheriff within thirty days of changing his or her name and display his or her current driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall apply for a new driver's license or nondriver's license containing his or her new name. Such application for a driver's license or nondriver's license shall be made pursuant to chapter 302. The director of revenue shall issue a driver's license or nondriver's license with concealed carry endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such license. The director of revenue shall take custody of the old driver's license or nondriver's license. The name change shall be made by the department of revenue onto the individual's driving record and the new name shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

[7.] 6. A concealed carry endorsement shall be automatically invalid after thirty days if the endorsement holder has changed his or her name or changed his or her residence and not notified the department of revenue and sheriff of a change of name or residence as required in subsections 4 and 6 of this section.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF CERTIFICATE OF QUALIFICATION OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- Defendant is not at least twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
Defendant is not a citizen of the United States.
Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
Defendant failed to submit to or failed to clear the required background check.
Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at the time of issuance [or renewal] or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.198, Line 2, by inserting after all of said section and line the following:

"Section 1. An owner or operator of a business shall not restrict any person from lawfully possessing a firearm in a motor vehicle in possession of such person except a motor vehicle owned or leased by such person."; and

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

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

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

House Amendment No. 7 was withdrawn.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Cierpiot	Cross	Funderburk	Hinson
McCaherty	McGaugh	Molendorp	Schatz	Smith 85

On motion of Representative Brattin, **HCS HB 859, as amended**, was adopted.

On motion of Representative Brattin, **HCS HB 859, as amended**, was ordered perfected and printed.

HCS HB 275, relating to illegal aliens, was taken up by Representative Brattin.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

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

NOES: 050

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

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Colona	Funderburk	Jones 50	McGaugh
Mims	Reiboldt	Riddle	Scharnhorst	Schatz
Smith 85	Smith 120			

On motion of Representative Brattin, **HCS HB 275** was adopted.

On motion of Representative Brattin, **HCS HB 275** was ordered perfected and printed.

HCS HB 76, relating to the Missouri School Improvement Program standards, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCS HB 76** was adopted.

On motion of Representative Rowland, **HCS HB 76** was ordered perfected and printed.

HCS HB 78, relating to the Missouri Jobs for Education Program, was taken up by Representative Johnson.

Representative Hinson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	McCaherty	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

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

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Cornejo	Cross	Flanigan	Funderburk
Haahr	Leara	McGaugh	McKenna	Parkinson
Reiboldt	Rowden	Smith 85		

On motion of Representative Johnson, **HCS HB 78** was adopted.

On motion of Representative Johnson, **HCS HB 78** was ordered perfected and printed.

HCS HB 344, relating to MO HealthNet reimbursement, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 344** was adopted.

On motion of Representative Molendorp, **HCS HB 344** was ordered perfected and printed.

HCS HB 387, relating to physician assistants, was taken up by Representative Frederick.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 387, Page 2, Section 334.735, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"facility as the] **with a** supervising physician [sixty-six percent of the time a physician assistant"; and

Further amend said bill, page, and section, Line 32, by deleting the word "**supervision**" and inserting in lieu thereof the word "**supervising**"; and

Further amend said bill, Page 3, Section 334.735, Line 86, by deleting the phrase "**(2) A**" and inserting in lieu thereof the phrase "**(2) For a**"; and

Further amend said bill, Page 4, Section 334.735, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

"to the minimum federal law shall be required [for the physician-physician assistant team in a rural health clinic if a waiver has been granted by the board. However, the board shall be able to void"; and

Further amend said bill, page, and section, Line 114, by deleting the word "**and**"; and

Further amend said bill, page, and section, Line 116, by inserting immediately after the word "perform;" the word "**and**"; and

Further amend said bill, Page 6, Section 334.735, Line 185, by deleting the first instance of the word "**a**" and inserting in lieu thereof the word "**the**"; 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 Burlison offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 387, Page 1, Section A, Line 2, by inserting immediately after said line the following:

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

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017 for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

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

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

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

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

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

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

(b) Maintain geographic proximity, **except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics and provider-based rural health clinics where the main location of the hospital sponsor is more than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts if requested;** and

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

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

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

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice

registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

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

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

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

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017.

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

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating

physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

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

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

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 387, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"190.098. 1. In order for a person to be eligible for certification by the department as a community paramedic, an individual shall:

(1) Be currently certified as a paramedic;

(2) Successfully complete or have successfully completed a community paramedic certification program from a college, university, or educational institution that has been approved by the department or accredited by a national accreditation organization approved by the department; and

(3) Complete an application form approved by the department.

2. A community paramedic shall practice in accordance with protocols and supervisory standards established by the medical director. A community paramedic shall provide services of a health care plan if the plan has been developed by the patient's physician or by an advanced practice registered nurse or a physician assistant and there is no duplication of services to the patient from another provider.

3. Any ambulance service shall enter into a written contract to provide community paramedic services in another ambulance service area, as that term is defined in section 190.100. The contract that is agreed upon may be for an indefinite period of time, as long as it includes at least a sixty-day cancellation notice by either ambulance service.

4. A community paramedic is subject to the provisions of sections 190.001 to 190.245 and rules promulgated under sections 190.001 to 190.245.

5. No person shall hold himself or herself out as a community paramedic or provide the services of a community paramedic unless such person is certified by the department.

6. The medical director shall approve the implementation of the community paramedic program.

7. 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, 2013, shall be invalid and void.

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

(1) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

(3) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

(4) "Ambulance service area", a specific geographic area in which an ambulance service has been authorized to operate;

(5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(6) "Council", the state advisory council on emergency medical services;

(7) "Department", the department of health and senior services, state of Missouri;

(8) "Director", the director of the department of health and senior services or the director's duly authorized representative;

(9) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(10) "Emergency", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

(11) "Emergency medical dispatcher", a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(12) "Emergency medical response agency", any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(13) "Emergency medical services for children (EMS-C) system", the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

(14) "Emergency medical services (EMS) system", the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

(15) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

(16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

(17) **"Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is licensed by the department in accordance with standards prescribed in section 190.098;**

(18) "Emergency medical technician-intermediate" or "EMT-I", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

[(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

[(19)] (20) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

[(20)] (21) "First responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

[(21)] (22) "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

[(22)] (23) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

[(23)] (24) "Medical control", supervision provided by or under the direction of physicians to providers by written or verbal communications;

[(24)] (25) "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

[(25)] (26) "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

[(26)] (27) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

[(27)] (28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

[(28)] (29) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

[(29)] (30) "Physician", a person licensed as a physician pursuant to chapter 334;

[(30)] (31) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

[(31)] (32) "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

[(32)] (33) "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

[(33)] (34) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

[(34)] (35) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

[(35)] (36) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

[(36)] (37) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

[(37)] (38) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

[(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

[(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

[(40)] (41) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

[(41)] (42) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

[(42)] (43) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

[(43)] (44) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

[(44)] (45) "Stroke center", a hospital that is currently designated as such by the department;

[(45)] (46) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

[(46)] (47) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

[(47)] (48) "Trauma center", a hospital that is currently designated as such by the department."; and

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

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

On motion of Representative Frederick, **HCS HB 387, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 387, as amended**, was ordered perfected and printed.

HCS HB 415, relating to special license plates, was taken up by Representative Phillips.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.327, Line 2, by inserting immediately after, "**James R. Ledbetter Memorial Bridge**." the following sentence, "**The department of transportation shall erect and maintain appropriate signs designating the bridge, with the costs for such designation to be paid for by private donation.**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.517, Line 4, by inserting after all of said section and line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no

registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section.

The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[11.] **12.** The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

[301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 415, Pages 83 and 84, Section 301.3142, Lines 1 through 41, by deleting all of said section and lines and inserting in lieu thereof the following:

"301.3142. 1. Any immediate family member, including stepsiblings or stepchildren, who wishes to pay tribute to a member of the United States military who was a resident of this state and who was killed in the line of duty may receive special **personalized** license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. **Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of eligibility as the director may require.**

3. Upon [annual application payment of a fifteen dollar fee in addition to the registration fee, and presentation of any other documents which may be required by law or upon biennial application, payment of a thirty dollar fee in addition to the registration fee and] presentation of **such** proof of eligibility [for such plates] **and payment of the regular registration fees**, and presentation of any [other] documents which may be required by law, the [department] **director of revenue [may] shall** issue to the vehicle owner a **special** personalized license plate which shall bear the initials of the member of the United States military killed while in the line of duty, a gold star on the left side of the plates, followed by a three-letter description of the relative's relation to the veteran, provided such license plate configuration is not currently in use, and [which shall bear] the words "WE SHALL NOT FORGET" [in place of the words "SHOW-ME STATE"] **at the bottom of the plate, in a manner prescribed by the director of revenue.** Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

5. **There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.**

[3.] 6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director [of revenue] shall make **all** necessary rules and regulations for the administration of this section, and shall design all necessary forms required by 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 rule making authority and any rule proposed or adopted after August 28, [2004] **2013**, shall be invalid and void."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 415, Page 108, Section 301.3172, Line 37, by after all of said section and line inserting the following:

"Section 1. 1. Any person who has been awarded the military service award known as the "Korea Defense Service Medal" may apply for special motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Korea Defense Service Medal as the director may require.

3. Upon presentation of such proof of eligibility and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words "KOREA DEFENSE SERVICE MEDAL" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Such plates shall also bear an image of the Korea Defense Service Medal.

5. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

6. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

7. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

8. The director may consult with any organization which represents the interests of persons receiving the Korea Defense Service Medal when formulating the design for the special license plates described in this section.

9. The director shall make all necessary rules and regulations for the administration of this section, and shall design all necessary forms required by 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, 2013, shall be invalid and void."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 415, Page 10, Section 301.145, Line 10, by inserting after all of said section and line the following:

"301.216. Department investigators licensed as peace officers by the director of the department of public safety under chapter 590 shall be deemed to be peace officers within the state of Missouri while acting in an investigation to

enforce the provisions of this chapter and any provisions regarding fees, licenses, or taxes administered by the director. The power of arrest of a department investigator acting as a peace officer shall be limited to offenses involving fees, licenses, taxes, **other than taxes under chapters 143 or 147**, or in situations of imminent danger to the investigator or another person."; and

Further amend said bill, Page 29, Section 301.481, Line 15, by inserting after all of said section and line the following:

"301.562. 1. The department may refuse to issue or renew any license required pursuant to sections 301.550 to 301.573 for any one or any combination of causes stated in subsection 2 of this section. The department shall notify the applicant or licensee in writing at his or her last known address of the reasons for the refusal to issue or renew the license and shall advise the applicant or licensee of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license issued under sections 301.550 to 301.573 for any one or any combination of the following causes:

(1) The applicant or license holder was previously the holder of a license issued under sections 301.550 to 301.573, which license was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of suspension have not been fulfilled;

(2) The applicant or license holder was previously a partner, stockholder, director or officer controlling or managing a partnership or corporation whose license issued under sections 301.550 to 301.573 was revoked for cause and never reissued or was suspended for cause and the terms of suspension have not been fulfilled;

(3) The applicant or license holder has, within ten years prior to the date of the application, been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any business licensed under sections 301.550 to 301.573; for any offense, an essential element of which is fraud, dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;

(4) Use of fraud, deception, misrepresentation, or bribery in securing any license issued pursuant to sections 301.550 to 301.573;

(5) Obtaining or attempting to obtain any money, commission, fee, barter, exchange, or other compensation by fraud, deception, or misrepresentation;

(6) Violation of, or assisting or enabling any person to violate any provisions of this chapter and chapters 143, 144, 306, 307, 407, 578, and 643 or of any lawful rule or regulation adopted pursuant to this chapter and chapters 143, 144, 306, 307, 407, 578, and 643;

(7) The applicant or license holder has filed an application for a license which, as of its effective date, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(8) The applicant or license holder has failed to pay the proper application or license fee or other fees required pursuant to this chapter or chapter 306 or fails to establish or maintain a bona fide place of business;

(9) Uses or permits the use of any special license or license plate assigned to the license holder for any purpose other than those permitted by law;

(10) The applicant or license holder is finally adjudged insane or incompetent by a court of competent jurisdiction;

(11) Use of any advertisement or solicitation which is false;

(12) Violations of sections 407.511 to 407.556, section 578.120, which resulted in a conviction or finding of guilt or violation of any federal motor vehicle laws which result in a conviction or finding of guilt.

3. Any such complaint shall be filed within one year of the date upon which the department receives notice of an alleged violation of an applicable statute or regulation. After the filing of such complaint, the proceedings shall, except for the matters set forth in subsection 5 of this section, be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the department may, singly or in combination, refuse to issue the person a license, issue a license for a period of less than two years, issue a private reprimand, place the person on probation on such terms and conditions as the department deems appropriate for a period of one day to five years, suspend the person's license from one day to six days, or revoke the person's license for such period as the department deems appropriate. The applicant

or licensee shall have the right to appeal the decision of the administrative hearing commission and department in the manner provided in chapter 536.

4. Upon the suspension or revocation of any person's license issued under sections 301.550 to 301.573, the department shall recall any distinctive number plates that were issued to that licensee. If any licensee who has been suspended or revoked shall neglect or refuse to surrender his or her license or distinctive number license plates issued under sections 301.550 to 301.580, the director shall direct any [agent or employee of the department or any] law enforcement officer, to secure possession thereof and return such items to the director. For purposes of this subsection, a "law enforcement officer" means any member of the highway patrol, any sheriff or deputy sheriff, or any peace officer certified under chapter 590 acting in his or her official capacity. Failure of the licensee to surrender his or her license or distinctive number license plates upon demand by the director[, any agent or employee of the department,] or any law enforcement officer shall be a class A misdemeanor.

5. Notwithstanding the foregoing provisions of this section, the following events or acts by the holder of any license issued under sections 301.550 to 301.580 are deemed to present a clear and present danger to the public welfare and shall be considered cause for suspension or revocation of such license under the procedure set forth in subsection 6 of this section, at the discretion of the director:

(1) The expiration or revocation of any corporate surety bond or irrevocable letter of credit, as required by section 301.560, without submission of a replacement bond or letter of credit which provides coverage for the entire period of licensure;

(2) The failure to maintain a bona fide established place of business as required by section 301.560;

(3) Criminal convictions as set forth in subdivision (3) of subsection 2 of this section; or

(4) Three or more occurrences of violations which have been established following proceedings before the administrative hearing commission under subsection 3 of this section, or which have been established following proceedings before the director under subsection 6 of this section, of this chapter and chapters 143, 144, 306, 307, 578, and 643 or of any lawful rule or regulation adopted under this chapter and chapters 143, 144, 306, 307, 578, and 643, not previously set forth herein.

6. (1) Any license issued under sections 301.550 to 301.580 shall be suspended or revoked, following an evidentiary hearing before the director or his or her designated hearing officer, if affidavits or sworn testimony by an authorized agent of the department alleges the occurrence of any of the events or acts described in subsection 5 of this section.

(2) For any license which the department believes may be subject to suspension or revocation under this subsection, the director shall immediately issue a notice of hearing to the licensee of record. The director's notice of hearing:

(a) Shall be served upon the licensee personally or by first class mail to the dealer's last known address, as registered with the director;

(b) Shall be based on affidavits or sworn testimony presented to the director, and shall notify the licensee that such information presented therein constitutes cause to suspend or revoke the licensee's license;

(c) Shall provide the licensee with a minimum of ten days' notice prior to hearing;

(d) Shall specify the events or acts which may provide cause for suspension or revocation of the license, and shall include with the notice a copy of all affidavits, sworn testimony or other information presented to the director which support discipline of the license; and

(e) Shall inform the licensee that he or she has the right to attend the hearing and present any evidence in his or her defense, including evidence to show that the event or act which may result in suspension or revocation has been corrected to the director's satisfaction, and that he or she may be represented by counsel at the hearing.

(3) At any hearing before the director conducted under this subsection, the director or his or her designated hearing officer shall consider all evidence relevant to the issue of whether the license should be suspended or revoked due to the occurrence of any of the acts set forth in subsection 5 herein. Within twenty business days after such hearing, the director or his or her designated hearing officer shall issue a written order, with findings of fact and conclusions of law, which either grants or denies the issuance of an order of suspension or revocation. The suspension or revocation shall be effective ten days after the date of the order. The written order of the director or his or her hearing officer shall be the final decision of the director and shall be subject to judicial review under the provisions of chapter 536.

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

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 415, Page 108, Section 301.3172, Line 37, by inserting after said line the following:

"Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the "Graham's Picnic Rock Highway". The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway."; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 415, Page 16, Section 301.451, Line 20, by inserting after all of said section and line, the following:

"301.453. 1. [Any member of the general assembly of the state of Missouri while holding office, upon application and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, may apply for special personalized license plates bearing the state seal in gold and black colors along with the words "Representative" or "Senator" in preference to the words "SHOW-ME STATE". The director of revenue shall annually set aside special personalized license plates bearing the letters and numbers S-1 to S-34 and S01 to S034, R-1 to R-163 and R01 to R0163 to be issued to a member of the general assembly of the state of Missouri while such member is holding that office, upon such member's written request. For the first set of special personalized license plates issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district for a member of the state senate or the letter "R" and the number of the representative's district for a member of the house of representatives and for the second set of plates issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district preceded by the numeral "0" for a member of the state senate or the letter "R" and the number of the representative's district preceded by the numeral "0" for a member of the house of representatives. Only two sets of such plates may be issued to any one member of the general assembly.

2.] Any member of the United States Congress while he or she is holding that office, upon his or her written request and upon a payment of the additional fee required for personalized plates in section 301.144, may apply for special personalized license plates bearing the state seal in gold and black along with the words "Member of Congress" instead of the words "SHOW-ME STATE" and either the letters and numbers "USS-1, USS-01" and "USS-2, USS-02" for the senior and junior United States Senators from Missouri, respectively, or, in the case of members of the United States House of Representatives, bearing the letters "USC-1 to USC-9 and USC-01 to USC-09". Only two sets of such plates may be issued to any one individual congressman.

[3.] 2. The director shall annually set aside special personalized license plates bearing the state seal in gold and black and the numbers 1, 2, 3, 4, 5, and 6 along with the words "Governor", "Lieutenant Governor", "Secretary of State", "State Auditor", "State Treasurer" and "Attorney General" in preference to the words "SHOW-ME STATE" to be issued to the governor, lieutenant governor, secretary of state, state auditor, state treasurer, and attorney general, respectively, upon written request and upon payment of the fee required for personalized license plates in section 301.144, and other fees and documents as may be required by law. These plates shall be held by the appropriate public official only while such person remains in that office. Upon leaving that office the public official shall surrender the personalized license plates to the director, who shall make them available as provided in this subsection to the succeeding public official.

[4.] 3. All special license plates issued under this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Cornejo	Flanigan	Fraker	Funderburk
Haahr	Roorda	Rowden	Scharnhorst	Smith 85

Representative Webber moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

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

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.517, Line 4, by inserting after all of said section and line the following:

"227.520. The portion of U.S. Highway 54 from the Kansas/Missouri state line east to the Missouri/Illinois state line shall be designated the "Discover More on Route 54" Highway. The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost to be paid for by private donations."; and

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

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton

Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Flanigan	Frame	Funderburk	Jones 50
McManus	Molendorp	Roorda	Scharnhorst	Schieffer
Smith 85				

On motion of Representative Phillips, **HCS HB 415, as amended**, was adopted.

On motion of Representative Phillips, **HCS HB 415, as amended**, was ordered perfected and printed.

HCS HB 601, relating to telecommunications, was taken up by Representative Richardson.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 601, Page 2, Section 392.461, Line 22, by inserting after the phrase: "accessible website." on said line the following:

"A telecommunications company may include in a tariff filed with the commission any, all, or none of the rates, terms, or conditions for any, all, or none of its retail telecommunications services."; and

Further amend said bill, Section 392.611, Page 3, Line 10, by deleting the word: "its" on said line and inserting in lieu thereof the word:

"their"; and

Further amend said section, Page 3, Line 12, by inserting after the phrase: "voice over" the phrase:

"internet"; and

Further amend said section, Page 3, Line 18, by deleting from said line the word: "providing" and inserting in lieu thereof the phrase:

"to the provision"; and

Further amend said section, Page 3, Lines 20-23, by deleting all of said lines and inserting in lieu thereof the following:

"2. Broadband and other Internet protocol-enabled services shall not be subject to regulation under chapter 386 or this chapter, except that interconnected voice over Internet protocol service shall continue to be subject to section 392.550. Nothing in this subsection extends, modifies, or restricts the provisions of subsection 3 of section 392.611. As used in this subsection, "other internet"; and

Further amend said section, Page 3, Lines 31-32, by deleting the phrase: "**Nothing in this section is intended to extend, modify, or restrict**" and inserting in lieu thereof the following:

"Notwithstanding any other provision of this section, nothing in this section extends, modifies, or restricts"; and

Further amend said section, Page 3, Lines 35-36, by deleting the phrase: "**Nor is this section intended to extend, modify, or restrict**" and inserting in lieu thereof the following:

"Notwithstanding any other provision of this section, nothing in this section extends, modifies, or restricts"; and

Further amend said section, Page 3, Line 44, by deleting the word: "**requirement**" and inserting in lieu thereof the word:

"requirements"; and

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

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

On motion of Representative Richardson, **HCS HB 601, as amended**, was adopted.

On motion of Representative Richardson, **HCS HB 601, as amended**, was ordered perfected and printed.

Speaker Jones resumed the Chair.

HCS HB 653, relating to emergency communications services, was taken up by Representative Lauer.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 653, Page 12, Section 190.451, Line 54, by deleting the words "**For the first thirty days after**" and inserting in lieu thereof the following:

"Beginning on October 1, 2013, and ending on October 31, 2013, when"; and

Further amend said bill, Page 12, Section 190.451, Lines 57 and 58, by deleting all of said lines and inserting in lieu thereof the following:

"service charges that are collected by the seller from the consumer. Beginning on November 1, 2013, a seller shall be permitted to deduct and retain two percent of prepaid"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 653, Page 1, Section A, Line 4, by inserting after all of said section and line, the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in

the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund

in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

- (o) The anticipated type and terms of the obligations to be issued;
 - (p) The most recent equalized assessed valuation of the property within the development project area;
 - (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
 - (r) The general land uses to apply in the development area;
 - (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
 - (t) The total number of full-time equivalent positions in the development area;
 - (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
 - (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
 - (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
 - (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
 - (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
 - (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
 - (aa) A list of other community and economic benefits to result from the project;
 - (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
 - (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
 - (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
 - (gg) A market study for the development area;
 - (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; 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 Guernsey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 653, Page 9, Section 190.450, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"or ordinance, a monthly fee on each customer account to which any device capable of contacting 911 is assigned. The fee authorized in this section shall not exceed one dollar and fifty cents per any such customer account, and shall be imposed solely for the purpose of funding 911 service in such"; and

Further amend said bill, Page 9, Section 190.450, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"customer account to which any device capable of contacting 911 is assigned for the purpose of funding 911"; and

Further amend said bill, Page 10, Section 190.450, Line 68, by inserting after all of said line the following:

"9. No county of the third classification shall submit a proposal to the voters of the county under this section until all providers of emergency telephone service as defined in section 190.300 within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county.

10. Each county of the third classification that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall form an emergency telephone services district in conjunction with any adjoining county of the third classification with a public agency that provides emergency telephone service within such adjoining county. The governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section. No county of the third classification that adjoins a county of the third classification that does not have a public agency that provides emergency telephone service for the county shall submit a proposal to impose the fee under this section until the adjoining county with no emergency telephone service provided for the county forms an emergency telephone services district with an adjoining county as provided in this subsection."; and

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

Representative Engler offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 653, Page 10, Section 190.450, Line 68, by inserting after all of said line the following:

"9. No county of the third classification shall submit a proposal to the voters of the county under this section until either:

(1) All providers of emergency telephone service as defined in section 190.300 within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; or

(2) The county develops a plan for implementation of emergency telephone service as defined in section 190.300 within the county that considers either consolidation or entering into a shared services agreement for such service if such an agreement is feasible.

10. Each county of the third classification that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall either:

(1) Enter into a shared services agreement for providing emergency telephone services with an adjoining county with a public agency that provides emergency telephone service within such adjoining county, if such an agreement is feasible; or

(2) Form an emergency telephone services district in conjunction with any adjoining county with a public agency that provides emergency telephone service within such adjoining county. If such a district is formed under this paragraph, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section."; and

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

On motion of Representative Engler, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

On motion of Representative Lauer, **HCS HB 653, as amended**, was adopted.

On motion of Representative Lauer, **HCS HB 653, as amended**, was ordered perfected and printed.

HCS HB 881, relating to the Department of Natural Resources, was taken up by Representative Guernsey.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 881, Pages 13-15, Section 253.010, 253.032, 253.035, 253.040 and 253.412, by deleting all of said sections from the bill; and

Further amend said bill, Page 17, Section 258.010, by deleting all of said section from the bill; and

Further amend said bill, Pages 18-19, Section 260.200, Lines 40-79, by deleting all of said lines and inserting in lieu thereof the following:

- "(a) The full names and business address of key personnel;**
 - (b) The full name and business address of any entity, other than a natural person, that collects, transfers, processes, stores, or disposes of solid waste in which key personnel holds an equity interest of seven percent or more;**
 - (c) A description of the business experience of key personnel listed in the disclosure statement;**
 - (d) The full name business address of permits or licenses from federal, state, or county required for the collection, transfer, treatment, processing, storage, or disposal of solid waste issued to or held by key personnel for the five-year period ending on the date of the sworn disclosure statement or affirmation is signed;**
 - (e) The full name and business address of a permitted or licensed facility which has received the following for the five-year period ending on the date the sworn disclosure statement or affirmation is signed;**
 - (f) A listing and explanation of any administrative, civil, or criminal notice of violation, citation, felony conviction or adjudication from federal, state, or county jurisdictions dealing with solid waste or other environmental matters;**
 - (g) The full name and business address of any facility which has a permit or license suspended, revoked, or denied for the five-year period ending on the date of the sworn disclosure statement or affirmation is signed;"**
- and

Further amend bill and section, by renumbering the paragraphs accordingly; and

Further amend said bill, Page 46, Section 319.129, Lines 30-32, by deleting all of said lines and inserting in lieu thereof the following:

"designee, the director of the department of agriculture or the director's designee, and eight citizens appointed by the governor with the advice and consent"; and

Further amend said bill, page and section, Line 60, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 61, by inserting a comma "," after the word "**registration**"; and

Further amend said bill, page and section, Line 62, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 63, by inserting a comma "," after the word "**registration**"; and

Further amend said bill and section, Page 47, Line 65, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 66, by inserting a comma "," after the word "**registration**"; and

Further amend said bill and section, Page 47, Line 98, by deleting the words "**and the**"; and

Further amend said bill, page, and section, Line 99, by deleting the word "**are**" and inserting in lieu thereof the word "**is**"; and

Further amend said bill, Pages 49-52, Sections 536.021 and 536.024, by deleting all of said sections from the bill; and

Further amend said bill, Pages 55-56, Section 640.019, Lines 1-38, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 56, Section 640.065, Line 6, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 67, Section 644.057, Line 5, by inserting immediately before the word "**private**" the words "**public and**"; and

Further amend said bill, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. 1. Upon public notice, the division of state parks shall once each year hold a stakeholder meeting in each park district.

2. A stakeholder may petition the director of state parks regarding any policy or park issue that has been presented to the relevant facility manager and district supervisor. The director or his designee shall respond to the stakeholder within fourteen days and may schedule a stakeholder meeting to help determine what action is warranted in response to the petition. Whether the response is that no action is warranted or that specific action will be undertaken, the director shall so notify the stakeholder in writing within thirty days. The decision of the director shall be final and not subject to review.

3. For purposes of this section, "stakeholder" shall mean any person with an interest in the subject matter of the petition who has visited the park in the past sixty days."; and

Further amend said bill, Pages 70-71, Section 309.130, Lines 1-42, by deleting all of said section and lines from the bill; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 881, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. The department of natural resources shall, by December 1, 2013, and annually thereafter, develop a list of all documents the department uses in determining the issuance and conditions of environmental permits, certifications, or modifications under state statute or authority delegated by other state or federal agencies. The list and all documents referenced shall be provided to the joint committee on administrative rules for the purpose of a review, in consultation with the department, to determine if the documents are statements of general applicability that implement, interpret, or prescribe law or policy that should be subject to the rulemaking process prescribed in chapter 536."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 881, Page 2, Section 260.205, Line 343, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

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

Speaker Pro Tem Smith assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

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

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Cierpiot	Flanigan	Funderburk	Higdon
Hubbard	Leara	Mims	Molendorp	Montecillo
Neth	Schieffer	Smith 85	Thomson	

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

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

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 881, Page 8, Section 60.560, Line 5, by inserting after all of said section and line the following:

"60.570. **1.** The permanent headquarters of the land survey program shall be at or near to the principal office of the Missouri state geological survey. [Until such time as other headquarters can be obtained by the land survey program, the state geologist shall assign such space in the state geological survey building as may be available.] **If the land survey program headquarters are located in any building owned by a state agency or department, the land survey program shall not be liable to that agency or department for rent or any other costs associated with the office space.** The land survey program may also establish and maintain regional offices in the metropolitan areas of the state for the storage and distribution of local survey record information.

2. The building that occupies the permanent headquarters of the land survey program shall be named and referred to as the "Robert E. Myers Building".; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 881, Page 57, Section 640.075, Line 7, by inserting after all of said section and line the following:

"**640.080. 1. For Missouri state parks' designated swim beaches, a standard that measures E. coli using the Environmental Protection Agency's Method 1603, or any other equivalent method that measures culturable E. coli, at a geometric mean (GM) based on weekly sampling over a thirty-day period of one hundred ninety colony forming units per one hundred milliliters shall be utilized.**

2. If beaches exceed the GM standard established in subsection 1 of this section, the department of natural resources shall post the beach with signs that state "Swimming is Not Recommended".

3. The department reserves the right to close a beach in the event of a documented health risk including things such as but not limited to wastewater by-pass, extremely high sampling values, spills of hazardous chemicals, or localized outbreaks of an infectious disease."; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Flanigan
Fowler	Fraker	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton

Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Lichtenegger	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 050

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

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Cierpiot	Ellinger	Fitzwater	Franklin
Funderburk	Gatschenberger	Hansen	Leara	Love
Marshall	Molendorp	Neth	Parkinson	Schieffer
Smith 85	Stream	Zerr		

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

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

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 881, Page 52, Section 536.024, Line 19, by inserting after all of said line the following:

"537.556. In all civil actions involving claims that arise from the ownership, maintenance, management, or control of underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975, or that arise from chat or tailings generated at those sites, brought against persons or entities alleged to have owned, maintained, managed, or controlled such sites, chat, or tailings at any time, such persons and entities shall be exempt from punitive or exemplary damages with respect to all claims that relate in any way to the ownership, maintenance, management, or control of such sites, chat, or tailings, so long as such persons or entities or their employees, agents, owners, parent, subsidiary, or any related companies have made or are making good faith efforts to remediate such sites. Any evidence may be introduced to demonstrate good faith efforts to remediate; however, substantial compliance with an order or permit issued by or negotiated with either the state of Missouri or the United States concerning remediation or closure shall be deemed to be good faith efforts to remediate. The exemption from punitive damages provided for in this section shall not apply if the trier of fact

finds that the injury that is the subject of the civil action is attended by circumstances of fraud, malice, or willful and wanton conduct. In the event that good faith efforts to remediate a site have not been made or the injury is found to be attended by circumstances of fraud, malice, or willful and wanton conduct, then the total of any awards of punitive or exemplary damages shall not exceed five hundred thousand dollars in the aggregate as to all defendants in a civil action within this section. The provision of section 537.675 shall not apply to such action, and one-half of any such awards for punitive or exemplary damages shall be paid into the Missouri lead abatement loan fund established under section 701.337. Nothing in this section shall be construed as precluding any party from pursuing compensatory damages, including claims for natural resource damages."; and

Further amend said bill, Page 57, Section 640.075, Line 7, by inserting after all of said line the following:

"640.230. 1. Natural resources damages authorized to be recovered by the natural resources trustee designated by the Governor of the State of Missouri to carry out trustee responsibilities under any state or federal law, shall be modified as follows:

(1) It is the policy of the State of Missouri to acquire land for future generations. However, nothing in this section shall compel the State to accept a donation of land.

(2) Any claim of natural resources damages against a potentially responsible party for a release shall be offset by a credit for the full value of any economic and ecological benefits to the State of Missouri and its citizens of any land or other property rights donated to the State of Missouri by that potentially responsible party or its predecessor in interest calculated from the later of (1) the date of the donation of land or property rights; (2) the initial date of the release; or (3) the earliest date for which natural resources damages are assessed or claimed.

(3) In determining the economic benefits of any land or other property rights donated to the State of Missouri, the trustee shall include any fees and other revenues directly received or to be received by the State of Missouri as well as indirect economic benefits to the State of Missouri and its citizens, including recognition of user spending in the area and the economic multiplier effects on the geographic region, household income, and jobs.

(4) In determining the ecological benefits of land or other property rights donated to the State of Missouri, the trustee shall include the full value of all past, present, and future ecological benefits related to the biota, including any values calculated consistent with the valuation of damages by the trustees or the National Contingency Plan.

2. Any assessment or claim for natural resources damages of the State of Missouri shall be governed by this section, and the natural resources trustee designated by the Governor of the State of Missouri shall not transfer any such authority to assess or recover damages to such natural resources, whether by agreement or otherwise, to any federal or other trustee of natural resources."; and

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Burlison	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh

Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 049

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

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown	Cierpiot	Funderburk	Gatschenberger
Haahr	Jones 50	Kelly 45	Mitten	Molendorp
Parkinson	Riddle	Scharnhorst	Schieffer	Smith 85
Stream	Wood			

On motion of Representative Wieland, **House Amendment No. 6** was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Burlison	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120

Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 053

Anders	Barnes	Burns	Butler	Carpenter
Colona	Conway 10	Cornejo	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Rowden	Runions
Schupp	Solon	Swearingen	Torpey	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Cierpiot	Curtman	Funderburk	Gatschenberger
Haahr	Jones 50	McCaherty	Molendorp	Moon
Scharnhorst	Schieffer	Smith 85	Wood	

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

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 881, Page 61, Section 643.079, Line 122, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission."; and

Further amend said bill, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat."; and

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

Speaker Jones resumed the Chair.

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

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

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 881, Page 15, Section 253.040, Line 15, by inserting after all of said line the following:

"253.090. 1. All revenue derived from privileges, conveniences, contracts or otherwise, all moneys received by gifts, bequests or contributions or from county or municipal sources and all moneys received from the operation of concessions, projects or facilities and from resale items shall be paid into the state treasury to the credit of the "State Park Earnings Fund", which is hereby created. **The state treasurer is authorized to deposit all of the moneys in the fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided by law relative to state deposits. Interest received on such deposits shall be credited to the fund.** In the event any state park or any part thereof is taken under the power of eminent domain by the federal government the moneys paid for the taking shall be deposited in the state park earnings fund. The fund shall be used solely for the payment of the expenditures of the department of natural resources in the administration of this law, except that in any fiscal year the department may expend a sum not to exceed fifty percent of the preceding fiscal year's deposits to the state park earnings fund for the purpose of:

- (1) Paying the principal and interest of revenue bonds issued;
- (2) Providing an interest and sinking fund;
- (3) Providing a reasonable reserve fund;
- (4) Providing a reasonable fund for depreciation; and
- (5) Paying for feasibility reports necessary for the issuing of revenue bonds.

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

3. A good and sufficient bond conditioned upon the faithful performance of the contract and compliance with this law shall be required of all contractors.

4. Any person who contracts pursuant to this section with the state shall keep true and accurate records of his or her receipts and disbursements arising out of the performance of the contract and shall permit the department of natural resources and the state auditor to audit such records."; and

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

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

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

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 881, Page 32, Section 260.205, Line 343, by inserting after all of said line the following:

"29. No permit to construct or permit to operate shall be required pursuant to this section for the expansion of an existing permitted utility waste landfill. The expansion shall comply with applicable utility landfill design requirements. Siting requirements shall not constitute design requirements. The expansion plans designs and drawings shall be submitted to the department on the behalf of the permittee by a registered professional engineer licensed by the state of Missouri."; and

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

On motion of Representative Hough, **House Amendment No. 9** was adopted by the following vote:

AYES: 089

Anderson	Austin	Bahr	Bernskoetter	Brattin
Brown	Burlison	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Haefner	Hampton	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 061

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Curtis	Dunn	Ellinger	Ellington	Engler
English	Englund	Frame	Gannon	Gardner
Guernsey	Hansen	Harris	Higdon	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieber
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Cierpiot	Flanigan	Funderburk	Gatschenberger
Haahr	Mitten	Molendorp	Neth	Scharnhorst
Schieffer	Smith 85	Torpey		

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

Representative Roorda raised a point of order that the distribution of **House Amendment No. 10** was not timely.

The Chair ruled the point of order well taken.

On motion of Representative Guernsey, **HCS HB 881, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 881, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

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

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 262**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 222**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 129**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 814**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SBs 26, 11 & 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 132**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 781**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 936**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 125**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 287**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 924 - International Trade

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 125 - Fiscal Review

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 57 - General Laws

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Substitute Amendment No. 2 for Senate Amendment No. 1.

*Senate Substitute Amendment No. 2
for
Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Line 42, by inserting immediately after said line, the following "provided that \$700,000 shall be used by the department"; and

Further amend said section, Lines 43-44, by striking all of said lines from the bill; and

Further amend said page and section, Line 45, by striking the number "1,600,000" and inserting in lieu thereof the number "4,050,000"; and

Further amend said page and section, Line 46, by striking the number "1,600,000" and inserting in lieu thereof the number "3,000,000"; and

Further amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 5, Section 7.035, Line 9, by deleting the number "\$1,360,000" and inserting in lieu thereof the following:

"\$6,360,000"; and

Further amend said bill and page, Section 7.036, Lines 1-3, by striking all of said section from the bill; and

Further amend said bill and page, Section 7.040, Line 5, by deleting the number "\$1,360,000" and inserting in lieu thereof the following:

"\$6,360,000"; and

Further amend said bill and page, Section 7.042, Lines 1-5, by striking all of said section from the bill; and

Further amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 2, by inserting immediately after the word "Director", the following:

", provided that no funds shall be used for the salary of the legislative liaison"; and

Further amend said page and section, Line 3, by deleting the number: "\$178,541" and insert in lieu thereof the number:

"\$106,041"; and

Further amend said section, Page 2, Line 14, by deleting the number: "4.25" and insert in lieu thereof the number:

"3.25"; and

Further amend said bill, Page 12, Section 11.200, Line 4, by deleting the number: "\$27,542,105" and insert in lieu thereof the number:

"\$27,614,605"; and

Further amend said section, Page 13, Line 20, by deleting the number: "1,931.38" and insert in lieu thereof the number:

"1,933.38"; and

Further amend sections and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 68**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of pancreatic cancer awareness month.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 68, Page 1, Section Title, Lines 2-3, by striking the following: "the designation of pancreatic cancer awareness month" and inserting in lieu thereof the following:

"state designations"; and

Further amend said bill and page, Section 9.155, Line 5, by inserting after all of said line the following:

"9.190. The last full week in October is hereby designated as "Respiratory Syncytial Virus (RSV) Awareness Week" in the state of Missouri. The citizens of this state are encouraged to observe the week with appropriate activities and events."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 163**, entitled:

An act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND House Bill No. 163, Page 1, Section A, Line 2, by inserting after all of said line the following:

"77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

YES NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 163, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend Page 2, Section 78.090, Line 23, by inserting immediately after all of said line the following:

"96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120, shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

"Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?"

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.

Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 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 96.229 of this act shall be in full force and effect upon its passage its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Bill No. 163 , Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting after all of said line the following:

"473.730. 1. Every county in this state, [and] **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. 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 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. 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. 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. 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 the effective date of this section shall continue to hold such office for the remainder of his or her term.

473.733. The public administrator's certificate of election, **if applicable**, official oath and bond shall be filed and recorded with the probate clerk, and copies thereof, certified under the seal of such court, shall be evidence. Any person injured by the breach of such bond may sue upon the same in the name of the state for his own use.

473.737. 1. Each public administrator elected **or appointed**, as now or as hereafter provided for in sections 473.730 to 473.767, is hereby declared to be an officer for the county in which such administrator is elected [and for the city of St. Louis, if elected therein] **or appointed**. The county commissions of each county in this state shall make suitable provision for an office for the public administrator in the courthouse of the county if suitable space may be had for such an office, and shall be provided as soon as the county commission shall be of the opinion that the business in charge of the public administrator is such as to reasonably require a separate office for the convenience of the public.

The public administrator of the city of St. Louis shall have suitable and convenient offices provided for him or her in the civil courts building by that city.

2. Each public administrator of a county, except a county of the first classification having a charter form of government, in which a state mental hospital is located, or any county of the second classification which contains a habilitation center operated by the department of mental health and which does not adjoin a county of the first classification shall be entitled to one secretary for one hundred cases or more handled by the office of the public administrator in the immediately preceding calendar year. Each secretary employed pursuant to the provisions of this subsection shall be paid in the same pay range as a court clerk II in the circuit court personnel system. All compensation paid secretaries employed pursuant to the provisions of this subsection shall be paid out of the county treasury and the commissioner of administration shall annually reimburse each county for the compensation so paid upon proper demand being made out of appropriations made for that purpose. The public administrator in such counties may also appoint a person to act as public administrator to serve during the absence of the public administrator.

3. The governing bodies of each county and each city not within a county of this state may provide clerical personnel, not qualifying as status of deputy, for the public administrator of the county, and such personnel shall be provided when the governing body is of the opinion that the business in charge of the public administrator is such as to reasonably require such personnel for the welfare of the public."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND House Bill No. 163, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting immediately after said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

YES NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. **Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.**

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 303 & 304**, entitled:

An act to repeal section 227.303, RSMo, and to enact in lieu thereof nine new sections relating to highway designations, with a contingent effective date for a certain section.

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

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 303 & 304, Page 1, Section 227.314, Line 5, by inserting immediately after "Clay" the following:

" , Sr. ".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 303 & 304, Page 1, Section Title, Lines 3-4, by striking the following:

", with a contingent effective date for a certain section"; and

Further amend said bill, Page 2, Section 227.421, Line 1, by inserting immediately after "The" the following:

"Missouri portion of the"; and

Further amend said bill, Page 3, Section B, Lines 1-4, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 315**, entitled:

An act to repeal sections 334.040, 334.715, 334.735, 335.066, 338.150, 338.220, RSMo, and to enact in lieu thereof ten new sections relating to health care services.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

April 23, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Ave.
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss,

Pursuant to Section 105.461 RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am an Incorporator of "Discover More on Route 54" (N01304598) - a Nonprofit Missouri Corporation registered with the Missouri Secretary of State.

In compliance with Section 105.461 RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Warren D. Love
Representative District 125

COMMITTEE CHANGES

April 23, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- Rep. T.J. McKenna removed from the Missouri Sportsmen Issue Development Standing Committee
- Rep. T.J. McKenna removed from the Freshman Bipartisan Issue Development Standing Committee

Sincerely,

/s/ Representative Dwight Scharnhorst
Administration and Accounts, Chair

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, April 24, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 25, 2013, 9:30 AM, South Gallery.

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

We will be discussing and voting on changes to member's expense accounts.

Please look for information in your email.

No breakfast provided

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 25, 2013, 1:00 PM or Upon Morning Adjournment, House Hearing Room 3.

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

Demonstration of FQHC Data Warehouse

Continued discussion of DSS Revenue Maximization Policy

DMH review of CMHC's role in healthcare delivery

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 24, 2013, 2:00 PM, House Hearing Room 6.

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

Looking into the Canteen program in the Corrections 2009 audit.

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 30, 2013, Noon or Upon Morning Recess, House Hearing Room 3.

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

Continued conversation about Canteen and then onto MVE both in 2009 audit

Lunch provided

BUDGET

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 3.

Public hearing will be held: HB 930

Executive session will be held: HB 17, HB 18, HB 19, HB 930

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

BUDGET

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 3.

Executive session will be held: HCS HJR 14

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

DOWNSIZING STATE GOVERNMENT

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SB 170

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SB 242, SB 211, HB 295, HB 681, HB 1016, HB 603

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

FISCAL REVIEW

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 6.

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

All bills referred to committee may be considered.

CORRECTED

GENERAL LAWS

Wednesday, April 24, 2013, 12:00 PM, House Hearing Room 4.

Public hearing will be held: SCS SB 42, SS SB 357, SB 35, HB 1000, HB 390

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

HEALTH CARE POLICY

Wednesday, April 24, 2013, Noon or Upon Morning Recess, House Hearing Room 6.

Public hearing will be held: HB 929, SB 127, SS SCS SB 129

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

INTERNATIONAL TRADE

Wednesday, April 24, 2013, 1:00 PM, House Hearing Room 3.

Public hearing will be held: HB 924, SB 257

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

Please note change in time and hearing location.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 24, 2013, 1:30 PM, House Hearing Room 7.

Business meeting

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

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, April 24, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 670, HB 851, SB 12

Executive session will be held: SB 110, HB 567, SCS SB 45, HB 594, SB 73

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

LOCAL GOVERNMENT

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 5.

Public hearing will be held: SB 57

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

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 24, 2013, Upon Morning Recess, House Hearing Room 5.

Public hearing will be held: SCS SB 101, SCS SB 305

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

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897

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

CANCELLED

RULES

Wednesday, April 24, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: HCS HB 350, HCS HB 371, HCS HB 464, HCS HJR 15, HCS HJR 35, SCS SB 36, HCS SCS SB 88, HCS SB 90, HCS SCS SB 126, HCS SS SCS SJR 16, HCS SS#2 SCS SB 1

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

Possible executive session on SS SCS SB 159, AMENDED #2

AMENDED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 24, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 7.

Public hearing will be held: HB 1033

Executive session will be held: HB 393, HB 71

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

TOURISM AND NATURAL RESOURCES

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 871

Executive session will be held: SB 72, SB 218, HB 944, HB 835

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

Breakfast will not be served.

UTILITIES

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SB 275, HB 1006, HB 1038, SB 294

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

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 1024

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

HOUSE CALENDAR

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 24, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 285 - Pace
- 13 HCS HB 372 - Cox
- 14 HB 421 - Curtman
- 15 HCS HB 541 - Hicks
- 16 HCS HB 543 - Hoskins
- 17 HCS HB 234 - Gatschenberger
- 18 HCS HB 986 - Barnes
- 19 HB 616 - Bahr
- 20 HCS HB 675 - Grisamore
- 21 HB 185 - Kirkton

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HBs 455 & 297 - English
- 6 HB 756 - Hubbard
- 7 HCS HB 335, E.C. - Hinson
- 8 HCS HB 589, (Fiscal Review 4/22/13), E.C. - Hinson
- 9 HCS HB 170, E.C. - Guernsey
- 10 HB 808 - Funderburk

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS#2 SCS SBs 26, 11 & 31, E.C. - Koenig
- 8 HCS SS SCS SB 125, (Fiscal Review 4/23/13) - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HJR 11 & 7 , as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11 , as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 SS HCS HB 315 - Rowland
- 16 HB 68, SA 1 - Kelley (127)
- 17 HB 163, SA 1, SA 2, SA 4, SA 5 - Fitzpatrick
- 18 SCS HCS HBs 303 & 304, as amended - Scharnhorst

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick