

# JOURNAL OF THE HOUSE

First Regular Session, 98th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, WEDNESDAY, APRIL 22, 2015

The House met pursuant to adjournment.

Speaker Diehl in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*He that abideth in me and I in Him, the same bringeth forth much fruit. (John 15: 5)*

O Gracious God, in this moment of meditation we come to You knowing You will receive us and never send us away empty handed, empty hearted, or empty headed.

Make our minds shrines of Your truth, our hearts sanctuaries of Your love, and send us out into this new day with the glorious spirit of those who build highways of peace and good will among all Your children.

Help us now and always to walk worthily in the ways of Your word and when temptations and troubles come may we prove to be faithful to You and fruitful in all good deeds.

We pray for our beloved Missouri that she may be Your instrument of good will bringing together in a deep unity of spirit all the Members of this House.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

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

## MOTION

Representative Richardson moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 120

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Bondon	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 104	Corlew	Cornejo
Crawford	Cross	Curtman	Dogan	Dunn
Eggleston	English	Fitzpatrick	Fitzwater 49	Franklin
Frederick	Gannon	Gosen	Green	Haahr
Harris	Hill	Hinson	Hoskins	Hough

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Houghton	Hubbard	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kidd	King	Kirkton	Koenig	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCaherty	McCreery
McDaniel	Messenger	Miller	Montecillo	Moon
Morgan	Morris	Neely	Nichols	Norr
Otto	Pace	Pfausch	Phillips	Pierson
Pietzman	Pike	Redmon	Reiboldt	Remole
Richardson	Rizzo	Roden	Roerber	Rone
Ross	Rowland	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	Walton Gray
Webber	Wiemann	Wilson	Zerr	Mr. Speaker

NOES: 000

PRESENT: 001

Pogue

ABSENT WITH LEAVE: 041

Allen	Black	Brattin	Chipman	Conway 10
Cookson	Curtis	Davis	Dohrman	Dugger
Ellington	Engler	Entlicher	Fitzwater 144	Flanigan
Fraker	Gardner	Haefner	Hansen	Hicks
Higdon	Kendrick	Kolkmeier	McCann Beatty	McDonald
McGaugh	McManus	McNeil	Meredith	Mims
Mitten	Muntzel	Newman	Parkinson	Peters
Rehder	Rhoads	Rowden	Smith	White
Wood				

VACANCIES: 001

Speaker Pro Tem Hoskins assumed the Chair.

## SECOND READING OF SENATE BILLS

The following Senate Bills were read the second time:

**SCS SB 321**, relating to court orders of protection that prohibit contact with victims of sexual offenses.

**SB 369**, to authorize the conveyance of certain state properties.

**SB 430**, relating to the annexation of territory that contains any portion of a state highway.

**SS SB 457**, relating to pharmacy.

**SB 474**, relating to the Heroes Way Designation Program.

**SB 500**, relating to honey.

**SCS SB 539**, relating to the authority of county officers to provide passport services.

**SB 561**, relating to the county in which certain offenses are prosecuted.

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 714**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### THIRD READING OF HOUSE BILLS

**HCS HB 618**, relating to human remains, was taken up by Representative Fraker.

On motion of Representative Fraker, **HCS HB 618** was read the third time and passed by the following vote:

AYES: 139

Adams	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Corlew	Crawford	Cross	Curtman
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Green	Haahr	Haefner	Hansen
Harris	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hummel	Hurst	Johnson
Jones	Justus	Keeney	Kelley	Kendrick
Kidd	King	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant

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Lauer	Lavender	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McCann Beatty	McCreery
McDaniel	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Parkinson	Peters
Pfautsch	Phillips	Pietzman	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Rizzo
Roden	Roeber	Rone	Ross	Rowden
Rowland	Runions	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 012

Butler	Dunn	Ellington	Gardner	Hubbard
Marshall	May	Pace	Pierson	Pogue
Smith	Walton Gray			

PRESENT: 001

Higdon

ABSENT WITH LEAVE: 010

Alferman	Cookson	Cornejo	Curtis	Davis
Hicks	McDonald	Otto	Richardson	Webber

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 665**, relating to amino acid-based elemental formulas, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 665** was read the third time and passed by the following vote:

AYES: 143

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 104	Corlew	Crawford	Cross	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
Ellington	Engler	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gardner	Gosen	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus

Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	May
McCaherty	McCann Beatty	McCreery	McDaniel	McGaugh
McNeil	Meredith	Messenger	Miller	Mims
Montecillo	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Zerr		

NOES: 006

Burlison	Curtman	Koenig	Marshall	Moon
Pogue				

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 10	Cookson	Cornejo	Curtis	English
Fitzwater 144	Hicks	McDonald	McManus	Mitten
Otto	Wood	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 714**, relating to emergency communications service, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 714** was read the third time and passed by the following vote:

AYES: 123

Adams	Alferman	Allen	Anders	Andrews
Arthur	Bahr	Basye	Beard	Berry
Black	Brown 57	Brown 94	Burns	Butler
Carpenter	Chipman	Colona	Conway 10	Conway 104
Corlew	Crawford	Cross	Davis	Dohrman
Dugger	Dunn	Eggleston	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gardner	Gosen	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hoskins	Houghton
Hubbard	Hubrecht	Hummel	Hurst	Jones
Justus	Keeney	Kelley	Kendrick	Kidd

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King	Kirkton	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	May	McCann Beatty
McCreery	McDaniel	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Rone	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Sommer	Swan	Walker	Walton Gray	Webber
White	Wilson	Wood		

NOES: 032

Anderson	Austin	Barnes	Bernskoetter	Bondon
Brattin	Burlison	Cierpiot	Curtman	Dogan
Hill	Hinson	Hough	Johnson	Koenig
Leara	Marshall	McCaherty	Morris	Parkinson
Pietzman	Pogue	Richardson	Roden	Roeber
Ross	Solon	Spencer	Taylor	Vescovo
Wiemann	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 007

Cookson	Cornejo	Curtis	Hicks	Mathews
Redmon	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 117**, relating to sales tax, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 117** was read the third time and passed by the following vote:

AYES: 142

Alferman	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Gosen	Green	Haahr
Haefner	Hansen	Harris	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hummel	Hurst	Johnson	Jones

Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McManus	Meredith	Messenger
Miller	Mims	Mitten	Moon	Morgan
Morris	Muntzel	Neely	Nichols	Otto
Peters	Pfausch	Phillips	Pierson	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roerber	Rone
Ross	Rowden	Rowland	Runions	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr			

NOES: 013

Adams	Barnes	Ellington	Gardner	Korman
Marshall	McNeil	Montecillo	Newman	Norr
Pace	Pogue	Smith		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cookson	Curtis	Flanigan	Hicks	Parkinson
Richardson	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HB 494**, relating to the Missouri local government employees' retirement system, was taken up by Representative Leara.

On motion of Representative Leara, **HB 494** was read the third time and passed by the following vote:

AYES: 145

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dunn	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Gardner	Gosen	Green	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus

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Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Ross	Rowland	Runions	Ruth	Shaul
Shull	Smith	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wood	Zerr

NOES: 003

Ellington	Marshall	Pogue
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PRESENT: 001

Wilson

ABSENT WITH LEAVE: 013

Brown 57	Cookson	Curtis	Dugger	Engler
Flanigan	Haahr	Hicks	Richardson	Rone
Rowden	Shumake	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 1058**, relating to the Missouri clean water law, was taken up by Representative Miller.

On motion of Representative Miller, **HCS HB 1058** was read the third time and passed by the following vote:

AYES: 155

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Ellington
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gardner	Gosen	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson



Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGaugh	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roden	Roeber	Rone	Ross	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	Walton Gray	Webber
White	Wiemann	Wilson	Wood	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 57	Cookson	Flanigan	Hicks	Neely
Rowden	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 385**, relating to real estate transactions, was taken up by Representative Walker.

On motion of Representative Walker, **HCS HB 385** was read the third time and passed by the following vote:

AYES: 150

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Gardner
Gosen	Haahr	Haefner	Hansen	Harris
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kendrick	King	Koenig	Kolkmeier	Korman

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Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCaherty	McCann Beatty
McCreery	McDaniel	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	Walton Gray	Webber
White	Wiemann	Wilson	Wood	Zerr

NOES: 003

Ellington                      Kirkton                      Pogue

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Cookson	Flanigan	Green	Hicks
Kidd	Neely	Richardson	Mr. Speaker	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HB 536**, relating to the appointment of commissioners to the Mid-America Port Commission, was taken up by Representative Redmon.

On motion of Representative Redmon, **HB 536** was read the third time and passed by the following vote:

AYES: 154

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 10	Conway 104	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gardner	Green	Haahr	Haefner	Hansen
Harris	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver

Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	

NOES: 002

Ellington Pogue

PRESENT: 000

ABSENT WITH LEAVE: 006

Cookson Flanigan Gosen Hicks Richardson  
Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HB 630**, relating to retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HB 630** was read the third time and passed by the following vote:

AYES: 150

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 10	Conway 104	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
English	Entlicher	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Gannon	Gardner	Gosen	Green
Haahr	Haefner	Hansen	Harris	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Hurst	Johnson
Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch

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Mathews	May	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGaugh	McManus	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	Walton Gray	Webber
White	Wiemann	Wilson	Wood	Zerr

NOES: 003

Ellington	Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 009

Cookson	Engler	Fitzpatrick	Flanigan	Frederick
Hicks	Jones	Mitten	Mr. Speaker	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

**HCS HB 527**, relating to health benefit plan open enrollment periods, was taken up by Representative Hill.

On motion of Representative Hill, **HCS HB 527** was read the third time and passed by the following vote:

AYES: 147

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 10	Conway 104	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	English
Entlicher	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Gosen	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Mathews

May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	White	Wiemann
Wood	Zerr			

NOES: 007

Curtis	Ellington	Gardner	Marshall	Pogue
Webber	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 008

Cookson	Engler	Fitzpatrick	Flanigan	Green
Hicks	Mitten	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HB 762**, relating to accessibility of information acquired by law enforcement, was taken up by Representative Higdon.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 762, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase "public safety."; and

Further amend said bill, Page 4, Section 610.100, Line 110, by inserting immediately after all of said section the following:

"610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person **plead guilty or** was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge **from all official records all** recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section.

2. The following offenses are eligible to be expunged when such offenses occurred within the state of Missouri and were prosecuted under the jurisdiction of a Missouri municipal associate or circuit court:

(1) **All nonviolent crimes;**

(2) Any [felony or] misdemeanor offense [of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device under section 570.130]; **and** [(2) Any misdemeanor offense of sections 569.065, 569.067, 569.090, subdivision (1) of subsection 1 of section 569.120, sections 569.140, 569.145, 572.020, 574.020, or 574.075; or]

(3) [Any class B or C misdemeanor offense of section 574.010] **All nonviolent drug violations.**

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; [and]

(e) Current address;

**(f) Date of birth; and**

**(g) Social Security number;**

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court may set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) [It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare] **At least four years has elapsed since the person making the application has completed:**

**(a) His or her imprisonment, if sentenced to jail or prison;**

**(b) His or her period of probation, if placed on probation; or**

**(c) His or her parole, if placed on parole; and**

**(2) The person has:**

**(a) Graduated from high school or has received a GED; and**

**(b) Graduated from an institution of higher education with at least an associate's degree or maintains employment with the same employer for at least two consecutive years prior to filing the petition for expungement;**

**(c) Completed seven hundred hours of community service; and**

**(d) Not been convicted of a misdemeanor or felony, or been placed on probation for a misdemeanor or felony during the four-year period specified in subdivision (1) of this subsection. For purposes of this paragraph, any moving traffic violations shall not be considered.**

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court [may] **shall** enter

an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity shall destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose any expunged offense when the disclosure of such information is necessary to complete any application for:

- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
- (2) Any license issued under chapter 313; or
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency. Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may [not] refile [another] **such** petition [until a year has passed since the date of filing for the previous] **as soon as all criteria has been met for each of the offenses listed in the petition.**

10. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section."; and

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

Representative Austin raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94

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Burlison	Chipman	Cierpiot	Conway 104	Corlew
Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kelley	King	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews
McCaherty	McDaniel	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Roden
Ross	Ruth	Shaul	Shumake	Solon
Sommer	Spencer	Swan	Taylor	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr				

NOES: 038

Adams	Anders	Arthur	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Ellington
Gardner	Green	Harris	Hubbard	Kendrick
Kirkton	Kratky	LaFaver	Lavender	McCann Beatty
McCreery	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Otto	Pace	Peters	Pierson
Rizzo	Smith	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 023

Beard	Colona	Cookson	Entlicher	Fitzpatrick
Fitzwater 144	Flanigan	Hicks	Hummel	Kidd
Leara	May	Norr	Phillips	Pietzman
Roeber	Rone	Rowden	Rowland	Runions
Shull	Webber	Mr. Speaker		

VACANCIES: 001

On motion of Representative Higdon, **HCS HB 762** was adopted.

On motion of Representative Higdon, **HCS HB 762** was ordered perfected and printed.

**HB 842**, relating to the establishment of the division of alcohol and tobacco control fund, was taken up by Representative McDaniel.

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

*House Amendment No. 1*

AMEND House Bill No. 842, Page 1, In the Title, Lines 2 and 3, by deleting the words "the establishment of the division of alcohol and tobacco control fund" and inserting in lieu thereof the words "alcohol, with a penalty provision and an emergency clause"; and



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

**"311.057. 1. No person, firm, partnership, or corporation licensed under this chapter; public venue; or any person acting as an employee or agent thereof shall sell, offer to sell, or serve free of charge any form of powdered alcohol.**

**2. For the purposes of this section, "powdered alcohol" shall mean alcohol that is prepared in a powdered, crystalline, or capsule form either for direct use or for reconstitution in a nonalcoholic liquid.";** and

Further amend said bill, Page 2, Section 311.735, Line 12, by inserting after all of said line the following:

**"577.180. 1. A person commits the offense of illegal possession of powdered alcohol if he or she purchases, possesses, offers for sale or use, uses, or sells powdered alcohol or ships any package or container that contains powdered alcohol into this state.**

**2. Any person who violates the provisions of this section shall be guilty of a class C misdemeanor.**

**3. For the purposes of this section, "powdered alcohol" shall mean alcohol that is prepared in a powdered, crystalline, or capsule form either for direct use or for reconstitution in a nonalcoholic liquid.**

**4. The provisions of this section shall not apply to the following:**

**(1) Any hospital that operates primarily for the purpose of scientific research;**

**(2) Any state institution conducting scientific research;**

**(3) Any college or university conducting scientific research; or**

**(4) Any pharmaceutical company or biotechnology company conducting research.**

Section B. Because of the need to protect minors from accidental intoxication and alcohol poisoning, this act is deemed necessary for the immediate preservation of public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval."; and

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

Speaker Diehl resumed the Chair.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Frederick	Gannon	Gosen	Hansen	Higdon
Hill	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Justus	Keeney	Kelley
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Pike	Pogue	Remole
Rhoads	Richardson	Roden	Roeber	Rone

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Ross	Rowden	Rowland	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 037

Adams	Arthur	Burns	Butler	Curtis
Dunn	Ellington	Gardner	Green	Harris
Hubbard	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Nichols	Norr	Pace
Peters	Pierson	Rizzo	Runions	Smith
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 025

Alferman	Anders	Barnes	Beard	Carpenter
Colona	Conway 10	Cookson	Franklin	Haahr
Haefner	Hicks	Hinson	Hummel	Jones
Kidd	Lichtenegger	Marshall	Newman	Otto
Phillips	Pietzman	Redmon	Rehder	Reiboldt

VACANCIES: 001

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

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Corlew	Cornejo	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzwater 144	Fitzwater 49	Franklin
Frederick	Gannon	Gosen	Haefner	Hansen
Higdon	Hill	Hoskins	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Keeney
Kelley	King	Koenig	Kolkmeyer	Korman
Lair	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Pietzman	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Roden	Roeber	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	White	Wiemann	Wilson
Mr. Speaker				

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 024

Allen	Barnes	Brattin	Brown 57	Cookson
Crawford	Dugger	Fitzpatrick	Flanigan	Fraker
Haahr	Hicks	Hinson	Hough	Hummel
Kidd	Lant	Marshall	McManus	Messenger
Phillips	Rehder	Wood	Zerr	

VACANCIES: 001

On motion of Representative McDaniel, **HB 842, as amended**, was ordered perfected and printed.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **HB 150** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 150** was delivered to the Governor by the Chief Clerk of the House.

On motion of Representative Richardson, the House recessed until 3:00 p.m.

### **AFTERNOON SESSION**

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

### **SIGNING OF SENATE BILL**

All other business of the House was suspended while **SS SB 239** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 209**, relating to crime victims' compensation awards, was taken up by Representative Conway (104).

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 209, Page 1, In the Title, Line 3, by deleting the words "victims' compensation awards" and inserting in lieu thereof the words "victim compensation"; and

Further amend said bill, Page 6, Section 595.030, Lines 33 and 34, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Clinical social worker licensed pursuant to chapter 337; [or]  
(4) Professional counselor licensed pursuant to chapter 337; **or**  
(5) **Board certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner licensed under chapter 335 or licensed in the state in which the service is provided.**"; and

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

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

On motion of Representative Conway (104), **HCS HB 209, as amended**, was adopted.

On motion of Representative Conway (104), **HCS HB 209, as amended**, was ordered perfected and printed.

**HB 411**, relating to an income tax deduction for storm shelters, was taken up by Representative Kelley.

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

*House Amendment No. 1*

AMEND House Bill No. 411, Page 1, In the Title, Lines 2-3, by deleting the phrase "an income tax deduction for storm shelters" and inserting in lieu thereof the word "taxation"; and

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

"135.2000. 1. As used in this section, the following terms mean:  
(1) "Commissioner", the commissioner of education for the department of elementary and secondary education;  
(2) "Contribution", a donation of cash;  
(3) "Fund", the foster child education fund established in section 210.1500;  
(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;  
(5) "Tax credit", a credit against the taxpayer's state tax liability;  
(6) "Tax credit certificate", a certificate evidencing a taxpayer's right to receive a tax credit;  
(7) "Taxpayer", a person, firm, partner in a partnership, member in a limited liability company, shareholder in an S corporation, or a corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision

of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. (1) Subject to the provisions of subsection 5 of this section, any contribution to the fund made on or after January 1, 2016, shall be eligible for a tax credit as provided by this section.

(2) For all tax years beginning on or after January 1, 2016, a taxpayer shall be entitled to receive a tax credit against the taxpayer's state tax liability in an amount equal to sixty-five percent of the amount such taxpayer contributed to the fund evidenced by a tax credit certificate.

3. The commissioner shall be responsible for the administration and issuance of tax credit certificates authorized by this section.

4. The amount of the tax credit claimed shall not exceed fifty percent of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of twenty-five thousand dollars per taxable year. Any amount of credit that the taxpayer is prohibited by this section from claiming in a taxable year shall not be refundable. However, any tax credit that cannot be claimed in the taxable year in which the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

5. Except for any excess credit which is carried over under subsection 4 of this section, a taxpayer shall not be allowed to claim a tax credit unless the amount of such taxpayer's contribution to the fund in such taxpayer's taxable year has a value of one hundred dollars or more, up to a maximum of fifty thousand dollars. Any excess of a contribution above fifty thousand dollars or contribution less than one hundred dollars shall be ineligible to receive a tax credit under this section.

6. The total amount of tax credits authorized under the provisions of this section shall not exceed five million dollars in any fiscal year. The total amount of tax credits issued but not redeemed shall not exceed fifteen million dollars in any fiscal year. Tax credits shall be issued in the order contributions are received.

7. Tax credits issued under this section may not be transferred, sold, or assigned.

8. The department of elementary and secondary education may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void."; and

Further amend said bill, Page 2, Section 143.115, Line 47, by inserting immediately after said line the following:

"210.1500. 1. As used in this section, the following terms shall mean:

(1) "Eligible recipient", a school-aged child enrolled in kindergarten through twelfth grade who:

(a) Is currently in the protective custody of the state; and

(b) Has been in the protective custody of the state for at least six of the last thirty-six months;

(2) "Qualified school", a nonpublic elementary or secondary school in this state;

(3) "Scholarship", an annual grant to eligible recipients to cover all or part of the applicable tuition and fees at a qualified school, the amount of which shall be the lesser of:

(a) The previous year's tuition and fees for nonscholarship students at the qualified school;

(b) Ninety percent of the previous year's average current expenditure per average daily attendance for the student's district of residence; or

(c) The tuition amount set by the voluntary interdistrict coordinating council for the student's district of residence, if applicable.

2. There is hereby created in the state treasury the "Foster Child Education Fund", which shall consist of moneys collected from donations made under section 135.2000. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the purposes of providing scholarships to eligible recipients to attend a qualified school. 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. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. Any eligible recipient who receives a scholarship under the provisions of this section shall continue to be eligible to receive his or her scholarship upon a legal adoption.

4. In the event an eligible recipient who receives a scholarship under the provisions of this section graduates from the qualified school to which he or she first received a scholarship, the eligible recipient shall remain eligible to receive a scholarship under this section to a new qualified school.

5. The department of elementary and secondary education shall prepare and maintain an easy-to-search database containing statewide assessment scores of all recipients of scholarships under this section. Each recipient shall be assigned a random identification number by the department for purposes of the database and no personally identifiable data shall be accessible on the database.

6. The department of elementary and secondary education may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void."; and

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Alferman	Anderson	Andrews	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Corlew	Crawford	Curtman
Davis	Dogan	Dugger	Eggleston	Engler
English	Entlicher	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr
Hansen	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Justus	Keeney	Kelley	Kidd	King
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Roden	Roeber	Rone	Ross
Rowden	Rowland	Ruth	Shaul	Shull
Shumake	Solon	Spencer	Swan	Taylor
Vescovo	Walker	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 044

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellington
Gardner	Green	Harris	Hubbard	Hummel
Kendrick	Kirkton	Kratky	LaFaver	Lavender

Marshall	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Runions	Smith	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Austin	Brown 57	Conway 10	Cookson
Cornejo	Cross	Dohrman	Fitzpatrick	Flanigan
Haefner	Hicks	Jones	Rehder	Sommer
Zerr				

VACANCIES: 001

On motion of Representative Koenig, **House Amendment No. 1** was adopted by the following vote, the ayes and noes having been demanded by Representative McNeil:

AYES: 081

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Beard	Bernskoetter	Berry
Brattin	Brown 57	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cornejo	Crawford	Curtman
Davis	Dogan	Ellington	Fitzpatrick	Fitzwater 49
Franklin	Frederick	Gosen	Haahr	Haefner
Hansen	Higdon	Hill	Hough	Houghton
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Leara	Lichtenegger
Marshall	Mathews	May	McCaherty	McDaniel
McGaugh	Moon	Muntzel	Neely	Parkinson
Pietzman	Rehder	Reiboldt	Remole	Richardson
Roden	Roeber	Rone	Ross	Rowden
Shaul	Shull	Shumake	Solon	Spencer
Swan	Taylor	Vescovo	Wiemann	Wilson
Mr. Speaker				

NOES: 074

Adams	Anders	Arthur	Basye	Black
Bondon	Burns	Butler	Carpenter	Colona
Conway 10	Corlew	Curtis	Dugger	Dunn
Eggleston	Engler	English	Entlicher	Fitzwater 144
Fraker	Gannon	Gardner	Green	Harris
Hinson	Hoskins	Hubbard	Hubrecht	Hummel
Kendrick	Kirkton	Kratky	LaFaver	Lauer
Lavender	Love	Lynch	McCann Beatty	McCreery
McDonald	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rhoads	Rizzo

Rowland	Runions	Ruth	Smith	Walker
Walton Gray	Webber	White	Wood	

PRESENT: 000

ABSENT WITH LEAVE: 007

Cookson	Cross	Dohrman	Flanigan	Hicks
Sommer	Zerr			

VACANCIES: 001

## Representative Ellington offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Bill No. 411, Page 1, In the Title, Lines 2-3, by deleting the words "an income tax deduction for storm shelters" and inserting in lieu thereof the words "tax incentives"; and

Further amend said bill, Page 2, Section 143.115, Line 47, by inserting immediately after said line the following:

**"143.266. 1. This section shall be known and may be cited as the "Missouri Supporting Families Income Tax Holiday Act".**

**2. The department of revenue shall conduct a review of the collection of withholding tax imposed by sections 143.191 to 143.265 in all tax years ending on or before December thirty-first of each tax year in which employees are exempt from the withholding tax under this section. Upon the completion of the review, the department shall calculate the average amount of withholding tax collected in each month in all such tax years to determine in which month the amount of withholding tax collected is historically the lowest.**

**3. For all tax years beginning on or after January 1, 2016, all employees of this state shall be exempt from the withholding tax imposed by sections 143.191 to 143.265 during the month in which the amount of withholding tax collected is historically the lowest as determined under subsection 2 of this section. This section shall not be construed to exempt such employees from any other required withholding or to limit any deduction such employees may claim.**

**4. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.**

**5. Under section 23.253 of the Missouri sunset act:**

**(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and**

**(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and**

**(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. The termination of the program as described in this subsection shall not be construed to preclude any taxpayer who claims any benefit under any program that is sunset under this subsection from claiming such benefit for all allowable activities related to such claim that were completed before the program was sunset, or to eliminate any responsibility of the administering agency to verify the continued eligibility of projects receiving tax credits and to enforce other requirements of law that applied before the program was sunset."; and**



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

Representative Engler offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 411, Page 1, Lines 9-27, by deleting all of said lines and inserting in lieu thereof the following:

**"2. The department of revenue may conduct a review of the collection of withholding tax imposed by sections 143.191 to 143.265 in all tax years beginning on or after January 1, 2016, but ending on or before December 31, 2018, to determine the average amount of withholding tax collected in each month in all such tax years to determine in which month the amount of withholding tax collected is the lowest.**

**3. The department shall submit its report to the general assembly no later than February 1, 2019.";** and

Further amend said amendment by renumbering remaining subsections accordingly; and

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

Representative Ellington raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is in violation of Rule 49(d).

The Chair ruled the point of order not well taken.

On motion of Representative Engler, **House Amendment No. 1 to House Amendment No. 2** was adopted.

**House Amendment No. 2, as amended**, was withdrawn.

On motion of Representative Kelley, **HB 411, as amended**, was ordered perfected and printed.

**HCS HB 634**, relating to the Division of Professional Registration, was taken up by Representative Burlison.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 634, Page 1, Section 324.001, Line 6, by deleting the word "**a compelling**" and inserting in lieu thereof the words "**an important governmental**"; and

Further amend said bill, Page 1, Section 324.001, Line 8, by deleting the words "**the least restrictive type of regulation consistent with**"; and inserting in lieu thereof the words "**substantially related to**"; and

Further amend said section, Page 2, Line 21, by deleting the words "**a compelling**" and inserting in lieu thereof the words "**an important**"; and

Further amend said bill, Page 11, Section 324.001, Line 375, by inserting after said line the following:

**"621.280 1. For any new board or commission created after July 1, 2015, and charged with regulating or licensing an occupation or profession, those practitioners actively engaged in the newly regulated occupation or profession for at least one year prior to the effective date of the regulatory statute shall have a property right in their continued legal ability to engage in their occupation or profession.**

**2. Any decision of a newly-created board or commission to refuse licensure to a pre-existing practitioner shall be in writing, shall inform the pre-existing practitioner of the specific reasons for the denial, and shall inform the pre-existing practitioner of their right to appeal before a neutral decision-maker at the administrative hearing commission. Any pre-existing practitioner denied licensure shall have the right to file an appeal to the administrative hearing commission on their license denial within thirty days after the decision of the newly-created board or commission. If the pre-existing practitioner does not timely appeal, their right to continue practicing the occupation or profession shall extinguish immediately. In the event of a timely appeal, the pre-existing practitioner's right to practice their occupation or profession shall continue until a final decision of the administrative hearing commission. The burden of proof in any hearing under this section shall be on the new board or commission to show that the pre-existing practitioner does not meet the requirements of the new regulatory regime.";** and

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

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

On motion of Representative Burlison, **HCS HB 634, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 634, as amended**, was ordered perfected and printed.

**HCS HB 1023**, relating to the development of school quality, was taken up by Representative Swan.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1023, Page 1, Section 161.089, Line 2, by deleting the following on said line "**and attendance centers**"; and

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

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

On motion of Representative Wood, **HCS HB 1023, as amended**, was adopted.

On motion of Representative Wood, **HCS HB 1023, as amended**, was ordered perfected and printed.

**HCS HB 120**, relating to employee password protection, was taken up by Representative Davis.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Berry	Black
Bondon	Brattin	Brown 94	Burlison	Chipman
Conway 104	Corlew	Cornejo	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr
Hansen	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Keeney	Kelley	King
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Pietzman	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Roden	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shull	Shumake
Solon	Spencer	Swan	Taylor	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 040

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kirkton	Kratky	LaFaver	Lavender
May	McCann Beatty	McCreery	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Smith	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Brown 57	Cierpiot	Cookson
Crawford	Dugger	Fitzpatrick	Flanigan	Haefner
Hicks	Kendrick	Kidd	McDonald	Mitten
Newman	Phillips	Redmon	Roeber	Sommer

VACANCIES: 001

On motion of Representative Davis, **HCS HB 120** was adopted.

On motion of Representative Davis, **HCS HB 120** was ordered perfected and printed.

**HCS HB 844**, relating to construction management, was taken up by Representative Hough.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 844, Page 1, Section 8.683, Line 13, by inserting immediately after the word "**manager**" the following: "**provides notice to other interested bidders and**"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 844, Page 2, Section 67.5050, by striking all of said section; and

Further amend said bill, Page 2, Section 8.685, Line 10, by inserting immediately after said line the following:

" **67.5050. 1. As used in this section, the following terms mean:**

(1) "**Construction manager**", the legal entity that proposes to enter into a construction management-at-risk contract under this section;

(2) "**Construction manager-at-risk**", a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for the construction, rehabilitation, alteration, or repair of a project at the contracted price as a general contractor and provides consultation to a political subdivision regarding construction during and after the design of the project.

2. Any political subdivision may use the construction manager-at-risk method for a project. In using that method and in entering into a contract for the services of a construction manager-at-risk, the political subdivision shall follow the procedures prescribed by this section.

3. Before or concurrently with selecting a construction manager-at-risk, the political subdivision shall select or designate an engineer or architect who shall prepare the construction documents for the project and who shall comply with all state laws, as applicable. If the engineer or architect is not a full-time employee of the political subdivision, the political subdivision shall select the engineer or architect on the basis of demonstrated competence and qualifications as provided by sections 8.285 to 8.291. The political subdivision's engineer or architect for a project may not serve, alone or in combination with another, as the construction manager-at-risk. This subsection does not prohibit a political subdivision's engineer or architect from providing customary construction phase services under the engineer's or architect's original professional service agreement in accordance with applicable licensing laws.

4. The political subdivision may provide or contract for, independently of the construction manager-at-risk, inspection services, testing of construction materials, engineering, and verification of testing services necessary for acceptance of the project by the political subdivision.

5. The political subdivision shall select the construction manager-at-risk in a two-step process. The political subdivision shall prepare a request for qualifications, for the case of the first step of the two-step process, that includes general information on the project site, project scope, schedule, selection criteria, and the time and place for receipt of proposals or qualifications, as applicable, and other information that may assist the political subdivision in its selection of a construction manager-at-risk. The political subdivision shall state the selection criteria in the request for proposals or qualifications, as applicable. The selection criteria may include the construction manager's experience, past performance, safety record, proposed personnel and methodology, and other appropriate factors that demonstrate the capability of the construction manager-at-risk. The political subdivision shall not request fees or prices in step one. In step two, the political subdivision may request that five or fewer construction managers, selected solely on the basis of qualifications, provide additional information, including the construction manager-at-risk's proposed fee and its price for fulfilling the general conditions.

Qualifications shall account for a minimum of forty percent of the evaluation. Cost shall account for a maximum of sixty percent of the evaluation.

6. The political subdivision shall publish the request for proposal or qualifications in a manner prescribed by the political subdivision.

7. For each step, the political subdivision shall receive, publicly open, and read aloud the names of the construction managers. Within forty-five days after the date of opening the proposals or qualification submissions, the political subdivision or its representative shall evaluate and rank each proposal or qualification submission submitted in relation to the criteria set forth in the request for proposals or request for qualifications. The political subdivision shall interview at least two of the top qualified offerors as part of the final selection.

8. The political subdivision or its representative shall select the construction manager that submits the proposal that offers the best value for the political subdivision based on the published selection criteria and on its ranking evaluation. The political subdivision or its representative shall first attempt to negotiate a contract with the selected construction manager. If the political subdivision or its representative is unable to negotiate a satisfactory contract with the selected construction manager, the political subdivision or its representative shall, formally and in writing, end negotiations with that construction manager and proceed to negotiate with the next construction manager in the order of the selection ranking until a contract is reached or negotiations with all ranked construction managers end.

9. A construction manager-at-risk shall publicly advertise, in the manner prescribed by chapter 50, and receive bids or proposals from trade contractors or subcontractors for the performance of all major elements of the work other than the minor work that may be included in the general conditions. A construction manager-at-risk may seek to perform portions of the work itself if the construction manager-at-risk submits its sealed bid or sealed proposal for those portions of the work in the same manner as all other trade contractors or subcontractors and if the political subdivision determines that the construction manager-at-risk's bid or proposal provides the best value for the political subdivision. The political subdivision shall have the authority to restrict the construction manager-at-risk from submitting bids to perform portions of the work.

10. The construction manager-at-risk and the political subdivision or its representative shall review all trade contractor or subcontractor bids or proposals in a manner that does not disclose the contents of the bid or proposal during the selection process to a person not employed by the construction manager-at-risk, engineer, architect, or political subdivision. All bids or proposals shall be made public prior to the award of the contract but after all bids are evaluated and clarified.

11. If the construction manager-at-risk reviews, evaluates, and recommends to the political subdivision a bid or proposal from a trade contractor or subcontractor but the political subdivision requires another bid or proposal to be accepted, the political subdivision may compensate the construction manager-at-risk by a change in price, time, or guaranteed maximum cost for any additional cost and risk that the construction manager-at-risk may incur because of the political subdivision's requirement that another bid or proposal be accepted.

12. If a selected trade contractor or subcontractor defaults in the performance of its work or fails to execute a subcontract after being selected in accordance with this section, the construction manager-at-risk may itself, without advertising, fulfill the contract requirements or select a replacement trade contractor or subcontractor to fulfill the contract requirements. If a fixed contract amount or guaranteed maximum price has not been determined at the time the contract is awarded, the penal sums of the performance and payment bonds delivered to the political subdivision shall each be in an amount equal to the project budget, as set forth in the request for qualifications. The construction manager-at-risk shall deliver the bonds not later than the tenth day after the date the construction manager-at-risk executes the contract unless the construction manager-at-risk furnishes a bid bond or other financial security acceptable to the political subdivision to ensure that the construction manager-at-risk will furnish the required performance and payment bonds if a guaranteed maximum price is established.

13. The provisions of this section shall not apply to any metropolitan sewer district established under article VI, section 30(a) of the Constitution of Missouri or charter city or charter county governed by home rule under article VI, section 18 or 19 of the Constitution of Missouri.

14. (1) Civil works projects such as roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water distribution and wastewater conveyance facilities, airport runways and taxiways, storm drainage and flood control projects, or transit projects commonly designed by professional engineers shall be limited to those projects in excess of two million dollars; and

(2) Non-civil works projects such as buildings, site improvements, and other structures, habitable or not, commonly designed by architects shall be limited to those projects in excess of seven million dollars;

15. Notwithstanding the provisions of section 23.253 to the contrary, the provisions of this section shall expire September 1, 2025.

67.5060. 1. As used in this section, the following terms mean:

(1) "Design-build", a project delivery method subject to qualifications-based selection for which the design and construction services are furnished under one contract;

(2) "Design-build contract", a contract which is subject to a qualifications-based selection process described in sections 8.285 to 8.291 between a political subdivision and a design-builder to furnish the architectural, engineering, and related design services and the labor, materials, supplies, equipment, and other construction services required for a design-build project;

(3) "Design-build project", the design, construction, alteration, addition, remodeling, or improvement of any buildings or facilities under contract with a political subdivision. Such design-build projects include, but are not limited to:

(a) Civil works projects, such as roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water distribution and wastewater conveyance facilities, airport runways and taxiways, storm drainage and flood control projects, or transit projects commonly designed by professional engineers in excess of two million dollars; and

(b) Non-civil works projects, such as buildings, site improvements, and other structures, habitable or not, commonly designed by architects in excess of seven million dollars;

(4) "Design-builder", any individual, partnership, joint venture, or corporation subject to a qualification-based selection that offers to provide or provides design services and general contracting services through a design-build contract in which services within the scope of the practice of professional architecture or engineering are performed respectively by a licensed architect or licensed engineer and in which services within the scope of general contracting are performed by a general contractor or other legal entity that furnishes architecture or engineering services and construction services either directly or through subcontracts or joint ventures;

(5) "Design criteria consultant", a person, corporation, partnership, or other legal entity duly licensed and authorized to practice architecture or professional engineering in this state under chapter 327, who is employed by or contracted by the political subdivision to assist the political subdivision in the development of project design criteria, requests for proposals, evaluation of proposals, the evaluation of the construction under a design-build contract to determine adherence to the design criteria, and any additional services requested by the political subdivisions to represent its interests in relation to a project. The design criteria consultant may not submit a proposal or furnish design or construction services for the design-build contract for which its services were sought;

(6) "Design criteria package", performance-oriented program, scope, and specifications for the design-build project sufficient to permit a design-builder to prepare a response to a political subdivision's request for proposals for a design-build project, which may include capacity, durability, standards, ingress and egress requirements, performance requirements, description of the site, surveys, soil and environmental information concerning the site, interior space requirements, material quality standards, design and construction schedules, site development requirements, provisions for utilities, storm water retention and disposal, parking requirements, applicable governmental code requirements, preliminary designs for the project or portions thereof, and other criteria for the intended use of the project;

(7) "Design professional services", services that are:

(a) Within the practice of architecture as defined in section 327.091, or within the practice of professional engineering as defined in section 327.181; or

(b) Performed by a licensed or authorized architect or professional engineer in connection with the architect's or professional engineer's employment or practice;

(8) "Proposal", an offer in response to a request for proposals by a design-builder to enter into a design-build contract for a design-build project under this section;

(9) "Qualification-based selection", the selection process described in sections 8.285 to 8.291;

(10) "Request for proposal", the document by which the political subdivision solicits proposals for a design-build contract; and

(11) "Stipend", an amount paid to the unsuccessful but responsive, short-listed design-builders to defray the cost of participating in phase II of the qualification-based selection process described in this section.

2. In using a design-build contract, the political subdivision shall determine the scope and level of detail required to permit qualified persons to submit proposals in accordance with the request for proposals given the nature of the project.

3. A design criteria consultant shall be employed or retained by the political subdivision to assist in preparation of the request for proposal, perform periodic site visits, prepare progress reports, review and approve progress and final pay applications of the design-builder, review shop drawings and submissions, provide input in disputes, help interpret the construction documents, perform inspections upon substantial and final completion, assist in warranty inspections, and provide any other professional service assisting with the project administration. The design criteria consultant may also evaluate construction as to the adherence of the design criteria. The consultant shall be selected and its contract negotiated in compliance with sections 8.285 to 8.291 unless the consultant is a direct employee of the political subdivision.

4. Notice of requests for proposals shall be advertised in accordance with section 8.250 or by a virtual notice procedure that notifies interested parties for at least twenty various purchases, design contracts, construction contracts, or other contracts each year for the political subdivision. The political subdivision shall publish a notice of a request for proposal with a description of the project, the procedures for submission, and the selection criteria to be used.

5. The political subdivision shall establish in the request for proposal a time, place, and other specific instructions for the receipt of proposals. Proposals not submitted in strict accordance with the instructions shall be subject to rejection.

6. A request for proposal shall be prepared for each design-build contract containing at minimum the following elements:

(1) The procedures to be followed for submitting proposals, the criteria for evaluating proposals and their relative weight, and the procedures for making awards;

(2) The proposed terms and conditions for the design-build contract, if available;

(3) The design criteria package;

(4) A description of the drawings, specifications, or other information to be submitted with the proposal, with guidance as to the form and level of completeness of the drawings, specifications, or other information that will be acceptable;

(5) A schedule for planned commencement and completion of the design-build contract, if any;

(6) Budget limits for the design-build contract, if any;

(7) Requirements including any available ratings for performance bonds, payment bonds, and insurance, if any; and

(8) Any other information that the political subdivision in its discretion chooses to supply including, but not limited to, surveys, soil reports, drawings of existing structures, environmental studies, photographs, references to public records, or affirmative action and minority business enterprise requirements consistent with state and federal law.

7. The political subdivision shall solicit proposals in a three-stage process. Phase I shall be the solicitation of qualifications of the design-build team. Phase II shall be the solicitation of a technical proposal including conceptual design for the project. Phase III shall be the proposal of the construction cost.

8. The political subdivision shall review the submissions of the proposals and assign points to each proposal in accordance with this section and as set out in the instructions of the request for proposal.

9. Phase I shall require all design-builders to submit a statement of qualification that shall include, but not be limited to:

(1) Demonstrated ability to perform projects comparable in design, scope, and complexity;

(2) References of owners for whom design-build projects, construction projects, or design projects have been performed;

(3) Qualifications of personnel who will manage the design and construction aspects of the project;

(4) The names and qualifications of the primary design consultants and the primary trade contractors with whom the design-builder proposes to subcontract or joint venture. The design-builder may not replace an identified contractor, subcontractor, design consultant, or subconsultant without the written approval of the political subdivision; and

(5) The approximate percentage of ownership by design professionals of the legal entity of the design-builder or legal entity that contracts with the design-builder.

10. The political subdivision shall evaluate the qualifications of all the design-builders who submitted proposals in accordance with the instructions of the request for proposal. Architectural and engineering services

on the project shall be evaluated in accordance with the requirements of sections 8.285 and 8.291. Qualified design-builders selected by the evaluation team may proceed to phase II of the selection process. Design-builders lacking the necessary qualifications to perform the work shall be disqualified and shall not proceed to phase II of the process. This process of short listing shall narrow the number of qualified design-builders to not more than five or fewer than two. Under no circumstances shall price or fees be a part of the prequalification criteria. Points assigned in phase I of the evaluation process shall not carry forward to phase II of the process. All qualified design-builders shall be ranked on points given in phases II and III only.

11. The political subdivision shall have discretion to disqualify any design-builder who, in the political subdivision's opinion, lacks the minimum qualifications required to perform the work.

12. Once a sufficient number of no more than five and no fewer than two qualified design-builders have been selected, the design-builders shall have a specified amount of time in which to assemble phase II and phase III proposals.

13. Phase II of the process shall be conducted as follows:

(1) The political subdivision shall invite the top qualified design-builders to participate in phase II of the process;

(2) A design-builder shall submit its design for the project to the level of detail required in the request for proposal. The design proposal shall demonstrate compliance with the requirements set out in the request for proposal;

(3) The ability of the design-builder to meet the schedule for completing a project as specified by the political subdivision may be considered as an element of evaluation in phase II;

(4) Up to twenty percent of the points awarded to each design-builder in phase II may be based on each design-builder's qualifications and ability to design, contract, and deliver the project on time and within the budget of the political subdivision;

(5) Under no circumstances shall the design proposal contain any reference to the cost of the proposal; and

(6) The submitted designs shall be evaluated and assigned points in accordance with the requirements of the request for proposal. Phase II shall account for not less than forty percent of the total point score as specified in the request for proposal.

14. Phase III shall be conducted as follows:

(1) The phase III proposal shall provide a firm, fixed cost of design and construction. The proposal shall be accompanied by bid security and any other items, such as statements of minority participation as required by the request for proposal;

(2) Cost proposals shall be submitted in accordance with the instructions of the request for proposal. The political subdivision shall reject any proposal that is not submitted on time. Phase III shall account for not less than forty percent of the total point score as specified in the request for proposal;

(3) Proposals for phase II and phase III shall be submitted concurrently at the time and place specified in the request for proposal, but in separate envelopes or other means of submission. The phase III cost proposals shall be opened only after the phase II design proposals have been evaluated and interviewed and assigned points, ranked in order, and posted;

(4) Cost proposals shall be opened and read aloud at the time and place specified in the request for proposal. At the same time and place, the evaluation team shall make public its scoring of phase II. Cost proposals shall be evaluated in accordance with the requirements of the request for proposal. In evaluating the cost proposals, the lowest responsive bidder shall be awarded the total number of points assigned to be awarded in phase III. For all other bidders, cost points shall be calculated by reducing the maximum points available in phase III by two percent or more for each percentage point by which the bidder exceeds the lowest bid and the points assigned shall be added to the points assigned for phase II for each design-builder;

(5) If the political subdivision determines that it is not in the best interest of the political subdivision to proceed with the project pursuant to the proposal offered by the design-builder with the highest total number of points, the political subdivision shall reject all proposals. In this event, all qualified and responsive design-builders with lower point totals shall receive a stipend and the responsive design-builder with the highest total number of points shall receive an amount equal to two times the stipend. If the political subdivision decides to award the project, the responsive design-builder with the highest number of points shall be awarded the contract; and

(6) If all proposals are rejected, the political subdivision may solicit new proposals using different design criteria, budget constraints, or qualifications.



15. As an inducement to qualified design-builders, the political subdivision shall pay a reasonable stipend, the amount of which shall be established in the request for proposal, to each prequalified design-builder whose proposal is responsive but not accepted. Such stipend shall be no less than one-half of one percent of the total project budget. Upon payment of the stipend to any unsuccessful design-builder, the political subdivision shall acquire a nonexclusive right to use the design submitted by the design-builder, and the design-builder shall have no further liability for the use of the design by the political subdivision in any manner. If the design-builder desires to retain all rights and interest in the design proposed, the design-builder shall forfeit the stipend.

16. The payment bond requirements of section 107.170 shall apply to the design-build project. All persons furnishing design services shall be deemed to be covered by the payment bond the same as any person furnishing labor and materials; however, the performance bond for the design-builder does not need to cover the design services as long as the design-builder or its subcontractors providing design services carry professional liability insurance in an amount established by the political subdivision in the request for proposals.

17. Any person or firm performing architectural, engineering, landscape architecture, or land-surveying services for the design-builder on the design-build project shall be duly licensed or authorized in this state to provide such services as required by chapter 327.

18. Under section 327.465, any design-builder that enters into a design-build contract with a political subdivision is exempt from the requirement that such person or entity hold a license or that such corporation hold a certificate of authority if the architectural, engineering, or land-surveying services to be performed under the design-build contract are performed through subcontracts or joint ventures with properly licensed or authorized persons or entities, and not performed by the design-builder or its own employees.

19. The provisions of this section shall not apply to any metropolitan sewer district established under article VI, section 30(a) of the Constitution of Missouri or charter city or charter county governed by home rule under article VI, section 18 or 19 of the Constitution of Missouri.

20. The authority to use design-build and design-build contracts provided under this section shall expire September 1, 2025."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 844, Page 5, Section 67.5050, Line 102, by inserting after all of said section and line the following:

"67.5070. 1. As used in this section, "specialty construction design" means any contract that involves the provision of engineering and construction services either directly by a party to the contract or through subcontractors retained by a party to the contract.

2. Any political subdivision may enter into a special construction design contract for engineering, design, and construction of a wastewater or water treatment project.

3. In disbursing community development block grants under 42 U.S.C. Sections 5301 to 5321, the department of economic development shall not reject wastewater or water treatment projects solely for utilizing specialty construction design contracts.

4. The department of natural resources shall not preclude specialty construction design contracts from consideration for funding provided by the water and wastewater loan fund under section 644.122.

5. A political subdivision planning a specialty construction design project shall retain an engineer duly licensed in this state to assist in preparing any necessary bid documents and specifications and evaluations of submissions and bids."; and

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

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

On motion of Representative Hough, **HCS HB 844, as amended**, was adopted.

On motion of Representative Hough, **HCS HB 844, as amended**, was ordered perfected and printed.

**HCS HB 627**, relating to infrastructure investment, was taken up by Representative King.

On motion of Representative King, **HCS HB 627** was adopted.

On motion of Representative King, **HCS HB 627** was ordered perfected and printed.

**HCS HB 694**, relating to the registration of motor vehicles, was taken up by Representative Brattin.

On motion of Representative Brattin, **HCS HB 694** was adopted.

On motion of Representative Brattin, **HCS HB 694** was ordered perfected and printed.

**HB 389**, relating to tax collection, was taken up by Representative Hoskins.

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

*House Amendment No. 1*

AMEND House Bill No. 389, Page 2, Section 32.420, Line 26, by inserting immediately after said line the following:

**"5. (1) The first year the provisions of this section are effective, the department shall accept the first twenty-five qualifying businesses that apply;**

**(2) The second year the provisions of this section are effective, the department shall accept the first one hundred qualifying businesses that apply; and**

**(3) The third year and every year thereafter the provisions of this section are effective, the department shall accept all qualifying businesses that apply.**

**6. The provisions of this section shall become effective on January 1, 2018.";** and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 389, Page 1, Section 32.420, Line 11, by deleting the words "**assessing entities**" and inserting in lieu thereof the words "**local taxing jurisdictions**"; and

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

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

On motion of Representative Hoskins, **HB 389, as amended**, was ordered perfected and printed.

**HCS HB 742**, relating to academic performance standards, was taken up by Representative Bahr.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 742, Page 1, In the Title, Line 3, by inserting immediately after the word "standards" the words "in schools"; and

Further amend said bill, Page 3, Section 160.514, Line 66, by deleting the word "**person**" and inserting in lieu thereof the words "**appointing authority**"; and

Further amend said bill, section, and page, Line 68, by deleting the word "**person**" and inserting in lieu thereof the words "**appointing authority**"; and

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

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

Representative Walton Gray offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 742, Page 1, In the Title, Line 3, by deleting the words "academic performance standards" and inserting in lieu thereof the words "elementary and secondary education"; and

Further amend said bill, Page 6, Section 161.855, Line 66, by inserting after all of said line the following:

**"161.960. 1. There is hereby established in the department of elementary and secondary education a "Council for Community Education".**

**2. The council shall have a membership of eleven persons, appointed by the governor. Membership may include, but not be limited to, representatives of the following groups:**

- (1) Civic organizations;**
- (2) Community-based organizations;**
- (3) Community education organizations;**
- (4) Local government;**
- (5) Local school district administrators;**
- (6) Parent organizations;**
- (7) Post-secondary education;**
- (8) School boards; and**
- (9) Teachers.**

**3. The commissioner of education or the commissioner's designee shall convene the first meeting of the council for the purpose of establishing the bylaws of the council and electing officers to include a chairperson, vice chairperson, and secretary. The council shall not meet more than four times annually. Members may be reimbursed for expenses but shall not receive a per diem allowance.**

**4. The council shall:**

(1) Conduct feasibility studies on the establishment of community education programs within the state;  
(2) Advise the commissioner of education and the department of education on issues relating to the establishment of community education programs;

(3) Make recommendations for a state plan for community education which sets forth the goals and objectives of a community schools program and establishes a system of priorities for targeting available resources on the areas with the greatest need within a school district; and

(4) Make recommendations for the funding of local community education programs.

5. For purposes of this section, "community school", means a school that makes its facilities available for citizen use, coordinates activities of local citizens in identifying program needs and establishing priorities, identifies and utilizes available program resources, and assists in the initiation of programs to improve the cultural, social, recreational, and educational opportunities available in a community. "Community education program", means a program in which a public building, including a public elementary or secondary school, is used as a community center operated by a school board in cooperation with other groups in the community, community organizations, and local governmental agencies to provide educational, recreational, cultural, health care, and other related community services in accordance with the needs, interests, and concerns of the community.

161.965. 1. There is hereby established in the department of elementary and secondary education a "Task Force on School Safety Improvement".

2. The task force shall have a membership of eleven persons, appointed by the commissioner of the department of elementary and secondary education. Membership may include, but not be limited to, representatives of the following groups:

(1) Licensed attorneys with experience in criminal defense who are in no way involved in prosecuting crimes;

(2) Community-based organizations;

(3) Community education organizations;

(4) Law enforcement agencies, including at least one representative from a city not within a county, a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or a home rule city with more than four hundred thousand inhabitants and located in more than one county;

(5) Local government;

(6) Local school district administrators;

(7) Parent organizations;

(8) Postsecondary education;

(9) School boards; and

(10) Teachers.

3. The commissioner of education or the commissioner's designee shall convene the first meeting of the task force for the purpose of establishing the bylaws of the task force and electing officers to include a chairperson, vice chairperson, and secretary. The task force shall not meet more than four times annually. Members may be reimbursed for expenses but shall not receive a per diem allowance.

4. The task force shall conduct studies on:

(1) School security features and practices schools and law enforcement officers can take to decrease the likelihood that an event or crisis will occur;

(2) Actions schools and law enforcement officers can take to eliminate or reduce the loss of life and property damage related to an event or crisis;

(3) The establishment of programs within schools to provide instruction in grades seven through twelve on the criminal justice system and make curriculum recommendations for such programs, including recommendations on specific curriculum designed to educate students about career opportunities in law enforcement; and

(4) The practicality and need for the appointment of a director of school safety in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 742, Page 3, Section 160.514, Lines 65 through 68, by deleting all of said lines; and

Further amend said bill and section by renumbering subsequent subsections accordingly; and

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

Representative Corlew raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Bahr, **HCS HB 742, as amended**, was adopted.

On motion of Representative Bahr, **HCS HB 742, as amended**, was ordered perfected and printed.

**HCS HB 867**, relating to the Show-Me Compassionate Medical Education Act, was taken up by Representative Frederick.

Representative Keeney assumed the Chair.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 867, Page 1, Section 9.154, Line 10, by inserting immediately after the word "**medical**" the word "**education**"; and

Further amend said bill, page, and section, Line 11, by inserting immediately after the words "**show-me**" the word "**compassionate**"; and

Further amend said bill and page, Section 191.594, Line 5, by inserting immediately after the word "**depression**" the words "**and suicide**"; and

Further amend said bill and section, Page 2, Line 9, by inserting immediately after the word "**depression**" the words "**and suicide**"; and

Further amend said bill, page, and section, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"(2) "**Medical school**", any allopathic or osteopathic school of medicine in this"; and

Further amend said bill and page, Section 191.596, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"191.596. 1. Medical schools in this state may, in collaboration with the Show-Me Compassionate Medical Education Research Project Committee, conduct a single center or multicenter";** and

Further amend said bill, page, and section, Line 4, by deleting the words **"risk for depression"** and inserting in lieu thereof the words **"risk of depression and suicide"**; and

Further amend said bill, page, and section, Line 12, by inserting immediately after the words **"show-me"** the word **"compassionate"**; and

Further amend said bill, page, and section, Line 14, by deleting all of said line and inserting in lieu thereof the following:

**"3. Any single center or multicenter study undertaken by the committee or its member schools may include, but need not be limited to, the following:"**; and

Further amend said bill, page, and section, Line 16, by inserting immediately after the word **"depression"** the words **"and suicide"**; and

Further amend said bill, section, and page, Lines 17 through 18, by deleting all of said lines and inserting in lieu thereof the following:

**"(2) Examine the culture and academic program of medical schools that may contribute to the risk of depression and suicide for medical students;"**; and

Further amend said bill and section, Page 3, Line 28, by inserting immediately after the word **"depression"** the words **"and suicide"**; and

Further amend said bill, page, and section, Lines 33 through 35, by deleting all of said lines and inserting in lieu thereof the following:

**"4. The committee shall prepare an annual report which shall include any information under subdivision (5) of subsection 3 of this section and any measures taken by the medical school as a result of the findings under this section.";** 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 Lichtenegger offered **House Amendment No. 2**.

AMEND House Committee Substitute for House Bill No. 867, Page 1, In the Title, Lines 2-3, by deleting the words "the show-me compassionate medical education act" and inserting in lieu thereof the words "mental health support for postgraduate students"; and

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

**"9.153. 1. August 24, 2015, and thereafter the date designated by the show-me compassionate dental education research project committee established in section 191.565, shall be designated as "Show-Me Compassionate Dental Education Day" in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness regarding dental education, dental student well-being, and measures that have been shown to be effective, are currently being evaluated for effectiveness, and are being proposed for effectiveness in positively impacting dental student well-being and education.**

**2. The director of the department of mental health shall notify the revisor of statutes of the date selected by the show-me compassionate education dental research project committee for the show-me compassionate dental education day.";** and

Further amend said bill and page, Section 9.154, Line 11, by inserting immediately after all of said section and line the following:

**"191.560. 1. Sections 191.560 to 191.565 shall be known and may be cited as the "Show-Me Compassionate Dental Education Act".**

**2. No dental school in this state shall prohibit, discourage, or otherwise restrict a dental student organization or dental organization from undertaking or conducting a study of the prevalence of depression and suicide or other mental health issues among dental students. No dental school in this state shall penalize, discipline, or otherwise take any adverse action against a student or a dental student organization in connection with such student's or dental student organization's participation in, planning, or conducting a study of the prevalence of depression and suicide or other mental health issues among dental students.**

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

**(1) "Dental organization" includes, but is not limited to, organizations such as the Missouri Dental Association;**

**(2) "Dental school", any accredited dental school in this state;**

**(3) "Dental student organization" includes, but is not limited to, any dental student section of a dental organization.**

**191.565. 1. The dental schools in this state may conduct an ongoing multicenter study or studies, which, if conducted, shall be known as the "Show-Me Compassionate Dental Education Research Project", in order to facilitate the collection of data and implement practices and protocols to minimize stress and reduce the risk of depression and suicide for dental students in this state.**

**2. There is hereby established the "Show-Me Compassionate Dental Education Research Project Committee", which shall consist of representatives from each of the dental schools in this state and the director of the department of mental health, or the director's designee. The committee shall:**

**(1) Conduct an initial meeting on August 24, 2015, to organize, and meet as necessary thereafter to implement any research project conducted; and**

**(2) Set the date for the show-me compassionate dental education day designated under section 9.153. The date selected shall be for 2016 and every year thereafter.**

**3. The multicenter study may include, but not be limited to, the following:**

**(1) Development of study protocols designed to identify the root causes that contribute to the risk of depression and suicide for dental students;**

**(2) Examine the culture and academic programming of dental schools that may contribute to the risk of depression and suicide for dental students;**

**(3) Collection of any relevant additional data including, but not limited to, consultation and collaboration with mental health professionals and mental health resources in the communities where dental schools are located;**

**(4) Collaboration between the dental schools in this state in order to share information, and to identify and make recommendations under subdivision (5) of this subsection; and**

**(5) Based on the data and findings under subdivisions (1) to (3) of this subsection:**

**(a) Identify the best practices to be implemented at each dental school designed to address the root causes and changes in dental school culture in order to minimize stress and reduce the risk of depression and suicide for dental students;**

**(b) Recommend any statutory or regulatory changes regarding licensure of dental professionals and recommend any changes to common practices associated with dental training or dental practice that the committee believes will accomplish the goals set out in this section.**

**4. Any dental school that has conducted a study under this section shall prepare an annual report which shall include any information under subdivision (5) of subsection 3 of this section and any measures taken by the dental school as a result of the findings under this section. Any dental school that does not conduct a study under this section shall prepare an annual report stating the school did not conduct such study. The report shall be made available annually on each dental school's website and to the Missouri general assembly.";** and

Further amend said bill, Page 3, Section B, Line 1, by inserting immediately after the word "medical" the words "and dental"; and

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

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

Representative Walton Gray offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 867, Page 1, In the Title, Lines 2-3, by deleting the phrase "the show-me compassionate medical education act" and inserting in lieu thereof the phrase "health care"; and

Further amend said substitute and page, Section 9.154, Line 11, by inserting after all of said line the following:

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

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

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

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

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

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

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

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

**3. The committee shall:**

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

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

**and**

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

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

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

**(2) Existing services and resources;**

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

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

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

**6. The committee shall submit a report of its findings and any recommendations to the general assembly and the governor no later than December 31, 2016.**

**7. After December 31, 2016, the committee shall continue to meet at the request of the chair and at a minimum of one time annually for the purpose of continuing the study of sickle cell disease in this state, the impact of the committee recommendations, and to provide an annual supplemental report on the findings to the governor and the general assembly."; and**

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



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

On motion of Representative Frederick, **HCS HB 867, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 867, as amended**, was ordered perfected and printed.

**HCS HB 781**, relating to transportation network company insurance, was taken up by Representative Gosen.

Speaker Diehl resumed the Chair.

Representative Keeney resumed the Chair.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 781, Page 1, Section 379.1700, Line 14, by inserting after the word, "**include**" the words, "**shared expense carpool or vanpool arrangements or**"; and

Further amend said section, Page 2, Lines 29-30, by deleting all of said lines and inserting in lieu thereof the words, "**return for compensation or payment of a fee**"; and

Further amend said bill, Page 3, Section 379.1702, Line 44, by inserting immediately after the word, "**claim**." the following:

**"If the insurance maintained by the driver does not otherwise exclude coverage for loss or injury while the driver is logged on to a transportation network's digital network or while the driver provides a prearranged ride, but does not provide insurance coverage at the minimum limits required by subsection 2 or 3 of this section, the transportation network company shall maintain insurance coverage that provides excess coverage beyond the driver's policy limits up to the limits required by subsection 2 or 3 of this section, as applicable."**; and

Further amend said bill, Page 4, Section 379.1706, Line 1, by inserting immediately after the word, "**exclude**" the words, "**or limit**"; and

Further amend said section, Page 5, Line 38, by deleting the words, "**directly involved parties and**"; and

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

On motion of Representative Gosen, **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. 781, Page 2, Section 379.1702, Lines 17-19, by deleting all of said lines; and

Further amend said section, Page 3, Lines 32-34; by deleting all of said lines; and

Further amend said section by renumbering accordingly; and

Further amend said bill, Pages 4, Section 379.1704, Line 11, by inserting after all of said section and lines the following:

**"379.1705. A transportation network company shall make the following disclosure to a prospective driver in the prospective driver's terms of service:**

**IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.**

**IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.**

**The disclosure set forth in this subsection shall be placed prominently in the prospective driver's written terms of service, and the prospective driver shall acknowledge the terms of service electronically or by signature.**

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 Barnes offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 781, Page 1, In the Title, Line 3, by deleting the words "network company insurance" and inserting in lieu thereof the word "companies"; and

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

"67.1806. 1. The regional taxicab commission shall consist of a chairperson plus eight members, four of whom shall be appointed by the chief executive of the city with approval of the board of aldermen, and four of whom shall be appointed by the chief executive of the county with approval of the governing body of the county. Of the eight members first appointed, one city appointee and one county appointee shall be appointed to a four-year term, two city appointees and two county appointees shall be appointed to a three-year term, and one city appointee and one county appointee shall be appointed to a one-year term. Members appointed after the expiration of these initial terms shall serve a four-year term. The chief executive officer of the city and the chief executive officer of the county shall alternately appoint a chairperson who shall serve a term of three years. [The respective chief executive who appoints the members of the commission shall appoint members to fill unexpired terms resulting from any vacancy of a person appointed by that chief executive.] All members and the chairperson must reside within the district while serving as a member. All members shall serve without compensation. [Nothing shall prohibit a representative of the taxicab industry from being chairperson.

2. In making the eight appointments set forth in subsection 1 of this section, the chief executive officer of the city and the chief executive officer of the county shall collectively select four representatives of the taxicab industry. Such four representatives of the taxicab industry shall include at least one from each of the following:

(1) An owner or designated assignee of a taxicab company which holds at least one but no more than one hundred taxicab licenses;

(2) An owner or designated assignee of a taxicab company which holds at least one hundred one taxicab licenses or more;

(3) A taxicab driver, excluding any employee or independent contractor of a company currently represented on the commission.] The remaining five commission members shall be designated "at large" and shall not be a representative of the taxicab industry or be the spouse of any such person nor be an individual who has a direct material or financial interest in such industry. [If any representative of the taxicab industry resigns or is otherwise unable to serve out the term for which such representative was appointed, a similarly situated representative of the taxicab industry shall be appointed to complete the specified term.]

**2. The four representatives of the taxicab industry serving as members of the commission as of August 28, 2015, shall be removed from the commission. The speaker of the house of representatives shall appoint two members and the president pro tempore of the senate shall appoint two members to serve the remainder of such members' terms. All remaining members of the commission serving as of August 28, 2015, shall serve the remainder of their terms and thereafter be removed from the commission. Beginning August 28, 2015, as vacancies on the commission occur, for whatever reason, the respective chief executive, speaker of the house of representatives, or president pro tempore of the senate who appointed such member shall appoint a new member to fill such vacancy. No commission member appointed shall be a representative of the taxicab industry or be the spouse of any such person nor be an individual who has a direct material or financial interest in such industry.**

67.1808. The regional taxicab commission is empowered to:

(1) Develop and implement plans, policies, and programs to improve the quality of taxicab service within the district;

(2) [Cooperate and collaborate with the hotel and restaurant industry to:

(a) Restrict the activities of those doormen employed by hotels and restaurants who accept payment from taxicab drivers or taxicab companies in exchange for the doormen's assistance in obtaining passengers for such taxicab drivers and companies; and

(b) Obtain the adherence of hotel shuttle vehicles to the requirement that they operate solely on scheduled trips between fixed termini and shall have authority to create guidelines for hotel and commercial shuttles;

(3)] Cooperate and collaborate with other governmental entities, including the government of the United States, this state, and political subdivisions of this and other states;

[(4)] (3) Cooperate and collaborate with governmental entities whose boundaries adjoin those of the district to assure that any taxicab or taxicab company neither licensed by the commission nor officed within its boundaries shall nonetheless be subject to those aspects of the taxicab code applicable to taxicabs operating within the district's boundaries;

[(5)] (4) Contract with any public or private agency, individual, partnership, association, corporation or other entity, consistent with law, for the provision of services necessary to improve the quality of taxicab service within the district;

[(6)] (5) Accept grants and donations from public or private entities for the purpose of improving the quality of taxicab service within the district;

[(7)] (6) Execute contracts, sue, and be sued;

[(8)] (7) Adopt a taxicab code to license and regulate taxicab companies and individual taxicabs within the district consistent with existing ordinances, and to provide for the enforcement of such code for the purpose of improving the quality of taxicab service within the district;

[(9)] (8) Collect reasonable fees in an amount sufficient to fund the commission's licensing, regulatory, inspection, and enforcement functions; except that, fees charged to entities regulated by the city or county prior to August 28, 2004, shall not exceed three times those amounts charged by such city or county in the first three years of the commission's operation, nor shall said fees exceed four times those amounts for the next three years and for subsequent years, the fees may be adjusted annually based on the rate of inflation according to the consumer price index. Previously regulated entities the class of service of which was regulated by both the city and the county may have fees based on the higher of the two fees charged for that class of service;

[(10)] (9) Establish accounts with appropriate banking institutions, borrow money, buy, sell, or lease property for the necessary functions of the commission; and

[(11)] (10) Require taxicabs to display special taxicab license plates as provided in chapter 301 in order to operate within the district. If the commission revokes the taxicab license the commission may confiscate such license plates and return them to the director of revenue pursuant to subsection 3 of section 67.1813.

67.1809. 1. The regional taxicab commission established under section 67.1804 may license, supervise, and regulate any person who engages in the business of transporting passengers in commerce, wholly within the regional

taxicab district established in section 67.1802, in any motor vehicle designed or used to transport not more than eight passengers, including the driver. The powers granted to the regional taxicab commission under this section shall apply to the motor vehicles described in this subsection and to the persons owning or operating those vehicles:

(1) Whether or not the vehicles are equipped with a taximeter or use a taximeter; and

(2) Whether the vehicles are operated by a for-hire motor carrier of passengers or by a private motor carrier of passengers not for hire or compensation.

2. This section shall apply, notwithstanding any provisions of this chapter or of subsection 2 of section 390.126 to the contrary, except that the vehicles described in subsection 1 of this section, and the operators of such vehicles, shall be licensed, supervised, and regulated by the state highways and transportation commission, as provided under section 226.008, instead of the regional taxicab commission, whenever:

(1) Such motor vehicles transport passengers within the district in interstate commerce, and those interstate operations are subject to the powers of the state highways and transportation commission under section 226.008;

(2) Such motor vehicles are operated exclusively by a not-for-profit corporation or governmental entity, whose passenger transportation within the regional taxicab district is subsidized, wholly or in part, with public transit funding provided by the state highways and transportation commission, the Federal Transit Administration, or both;

(3) Such vehicles transport one or more passengers on the public highways in a continuous journey from a place of origin within the regional taxicab district to a destination outside the district, or from a place of origin outside the district to a destination within the district, either with or without a return trip to the point of origin. Such continuous transportation of passengers between points within and without the district is subject to regulation by the state highways and transportation commission, even if the journey includes temporary stops at one or more intermediate destinations within the boundaries of the district.

3. The provisions of subdivision (3) of subsection 2 of this section shall not limit the powers of the regional taxicab commission under this section to license, supervise, and regulate the transportation of any passenger whose journey by motor vehicle takes place wholly within the regional taxicab district, even if transported on the same vehicle with other passengers whose transportation, both within and without the boundaries of the district, is subject to the exclusive powers of the state highways and transportation commission. A motor carrier or driver who transports passengers subject to the powers of the regional taxicab commission, under subsection 1 of this section, on the same vehicle with passengers whose transportation is subject to the powers of the state highways and transportation commission, under subsection 2 of this section, shall comply with all applicable requirements of the regional taxicab commission and with all applicable requirements of the state highways and transportation commission.

4. No provision within this chapter shall be interpreted or construed as limiting the powers of the state highways and transportation commission and its enforcement personnel, the state highway patrol and its officers and personnel, or any other law enforcement officers or peace officers to enforce any safety requirements or hazardous materials regulations made applicable by law to the motor vehicles, drivers, or persons that own or operate any motor vehicles described in this section.

5. Every individual person, partnership, or corporation subject to licensing, regulation, and supervision by the regional taxicab commission under this section, with reference to any transportation of passengers by a motor vehicle previously authorized by a certificate or permit issued by the state highways and transportation commission under section 390.051 or 390.061, which certificate or permit was in active status and not suspended or revoked on August 27, 2005, according to the records of the state highways and transportation commission, is hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission, and the vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission to operate and engage in the transportation of passengers within the regional taxicab district, to the same extent as they formerly were licensed, permitted, and authorized by the highways and transportation commission on August 27, 2005. Such motor carriers, drivers, and vehicles shall be exempted from applying for any license, certificate, permit, or other credential issued or required by the regional taxicab commission under sections 67.1800 to 67.1822, except that the regional taxicab commission may, after December 31, 2005, require such motor carriers and drivers to apply and pay the regular fees for annual renewals of such licenses, permits, certificates, or other credentials under uniform requirements applicable to all motor carriers, vehicles, and drivers operating within the regional taxicab district.

**6. The regional taxicab commission shall not adopt by regulation or rule any provision more restrictive on a transportation network company than the requirements as set forth in sections 387.415 to 387.495."; and**

Further amend said bill, Page 1, Section 379.1700, Line 1, by inserting after the number "**379.1706**" the phrase, "**and sections 387.415 to 387.495**"; and

Further amend said bill, page, and section, Line 9, by inserting immediately after the word "vehicle" the words "**under sections 67.1800 to 67.1822 and chapter 390**"; and

Further amend said bill, page and section, Line 15, by inserting after all of said line the following:

**"(4) "Regional taxicab commission" or "RTC", a commission established under the provisions of sections 67.1800 to 67.1822;**"; and

Further amend said section by renumbering accordingly; and

Further amend said bill, page and section, Line 16, by inserting immediately after the word "company" the phrase "**or "TNC"**"; and

Further amend said page and section, Line 17, by deleting the word, "**licensed**" and inserting in lieu thereof the following:

**"permitted by a political subdivision or RTC under sections 387.415 to 387.495";** and

Further amend said section, Page 2, Line 23, by inserting immediately after the word "**who**" the phrase "**meets the requirements of sections 387.415 to 387.495 and who**"; and

Further amend said page and section, Line 34, by deleting all of said line and inserting in lieu there to the following:

**"personal vehicle between points chosen by the rider;**

**(8) "Transportation network company services", transportation of a rider between points chosen by the rider and prearranged with a TNC driver through the use of a TNC digital network or software application. TNC services shall begin when a TNC driver accepts a request for transportation received through the TNC's digital network or software application service, continue while the TNC driver transports the rider in the TNC driver's vehicle, and end when the rider exits the TNC driver's vehicle. TNC service is not taxicab, for-hire vehicle, or street hail service.";** and

Further amend said bill and page, Section 379.1702, Lines 17 through 19, by deleting all of said lines; and

Further amend said bill and section, Page 3, by renumbering remaining subdivisions accordingly; and

Further amend said bill, page, and section, Lines 32 through 34, by deleting all of said lines; and

Further amend said bill, page, and section, by renumbering remaining subdivisions accordingly; and

Further amend said bill and page, Section 379.1706, Line 1, by inserting after the word, "**exclude**" the words, "**or limit**"; and

Further amend said bill and section, Page 5, Line 38, by deleting the words, "**directly involved parties**" and insert in lieu thereof the words, "**each other**"; and

Further amend said bill, page, and section, Line 44, by inserting immediately after all of said line the following:

**"387.415. TNCs or TNC drivers are not common carriers, contract carriers, or motor carriers, as defined in section 390.020, nor do they provide taxicab or for-hire vehicle service under sections 67.1800 to 67.1822 and chapter 390. In addition, a TNC driver shall not be required to register the vehicle such driver uses to provide TNC services as a commercial or for-hire vehicle.**

**387.420. 1. No TNC driver shall operate in a political subdivision or RTC without the TNC having first obtained a permit from the political subdivision or RTC if such permit is required.**

2. The political subdivision or RTC shall not deny issuance of a permit to each TNC applicant that meets the requirements for a TNC as set forth in sections 387.415 to 387.495 and pays an annual permit fee of one percent of gross fares collected by the TNC in relationship to prearranged rides originating in the political subdivision. The permit fee shall not exceed one hundred fifty dollars per TNC driver for such prearranged rides that originate in the political subdivision or RTC.

3. No political subdivision or RTC shall adopt by ordinance, regulation, or rule any provisions more restrictive on a TNC than the requirements as set forth in sections 387.415 to 387.495.

4. Any TNC denied a permit in any jurisdiction or aggrieved by any decision of a political subdivision or the RTC shall be entitled to a trial de novo in the circuit court of the county or city of the jurisdiction where the denial occurred.

**387.425.** A TNC shall maintain an agent for service of process in the state of Missouri.

**387.430.** A TNC may charge a fare for the services provided to riders; provided that, if a fare is charged, the TNC shall disclose to riders the fare calculation method on its website or within the software application service. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the TNC driver's vehicle.

**387.440.** Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the rider that lists:

- (1) The origin and destination of the trip;
- (2) The total time and distance of the trip; and
- (3) An itemization of the total fare paid, if any.

**387.460. 1.** Prior to permitting an individual to act as a TNC driver on its digital platform, the TNC shall:

(1) Require the individual to submit an application to the TNC, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the TNC;

(2) Be in possession of a current criminal background check for the individual, including a fingerprint check as set out in section 67.1819 for an initial application, performed by:

- (a) The Missouri State Highway Patrol; or
- (b) A nationally accredited third-party background check provider; and

(3) Be in possession of and require an applicant to provide a Missouri department of revenue driver's record report no older than ten days or, if the TNC driver is not a resident of Missouri, an abstract of a driving record from his or her home state.

2. No TNC shall permit an individual to act as a TNC driver on its digital platform who has been convicted of, pled guilty to, or been proven guilty and received a suspended imposition of sentence for any one of the following:

(1) A felony violation of any state or federal statute or law involving any crime against persons including, but not limited to, all forms of assault within ten years of release from prison for said felony conviction;

(2) A felony violation of any state or federal statute or law of any crime involving moral turpitude within ten years of the application or within ten years of release from prison for said felony conviction;

(3) Driving while his or her Missouri driver's license was suspended or revoked within five years of the date of application;

(4) Driving while intoxicated or some other drug or alcohol-related traffic offense within five years of the application;

(5) Does not possess a valid driver's license;

(6) Does not possess proof of registration for the motor vehicle used to provide TNC services;

(7) Does not possess proof of automobile liability insurance for the motor vehicle used to provide TNC services as required in sections 303.026 and 379.1702;

(8) Is not at least eighteen years of age; or

(9) The TNC determines the applicant may pose a risk or danger to the traveling public because of known criminal or driving activity.

**387.465** The TNC shall require that any motor vehicle that a TNC driver will use to provide TNC services shall be subject to safety inspections as required in chapter 307. The TNC driver shall provide a certificate of inspection to the TNC each time a safety inspection is completed. The TNC shall retain such records until a new certificate of inspection is provided but for a period of no longer than five years.

**387.470.** A TNC driver shall exclusively accept rides booked through a TNC's digital network or software application service and shall not solicit or accept street hails.

**387.475.** The TNC shall adopt a policy prohibiting solicitation or acceptance of cash payments from riders and notify TNC drivers of such policy. TNC drivers shall not solicit or accept cash payments from riders. Any payment for TNC services shall be made only electronically using the TNC's digital network or software application.

**387.480. 1.** TNC drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders.

**2.** TNC drivers shall comply with all applicable laws relating to accommodation of service animals.

**3.** No TNC shall impose additional charges for providing services to persons with physical disabilities because of those disabilities.

**4.** A TNC shall provide riders an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC service in any instance, it shall direct the rider to an alternate provider of wheelchair-accessible service, if available.

**387.485.** A TNC shall maintain:

**(1)** Individual trip records for at least one year from the date each trip was provided; and

**(2)** TNC driver records at least until the one-year anniversary of the date on which a TNC driver's activation on the TNC digital network has ended.

**387.490.** A TNC shall not disclose a rider's personally identifiable information to a third party unless:

**(1)** The rider consents;

**(2)** Disclosure is required by a legal obligation; or

**(3)** Disclosure is required to protect or defend the terms of use of the service or to investigate violations of those terms.

In addition to the foregoing, a TNC shall be permitted to share a rider's name or telephone number with the TNC driver providing TNC services to such rider in order to facilitate correct identification of the rider by the TNC driver, or to facilitate communication between the rider and the TNC driver.

**387.495.** Notwithstanding any other provision of law, TNCs and TNC drivers shall be governed exclusively by sections 379.1700 to 379.1706 and sections 387.415 to 387.495 and any rules promulgated by a political subdivision or RTC consistent with sections 379.1700 to 379.1706 and sections 387.415 to 387.495."; and

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

Representative Hummel raised a point of order that **House Amendment No. 3** amends previously amended material.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Bondon offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*  
to  
*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 781, Page 7, Line 47 by inserting after said line the following:

"Further amend said bill, Page 5, Section 379.1706, Line 44, by inserting after all of said section and line the following:

**"Section 1. The political subdivision which issues a permit to an applicant may request information to verify TNC drivers, offering prearranged rides originating in the political subdivision, meet the requirements of sections 379.1700 to 379.1706 and sections 387.415 to 387.495. Any criminal history information received by the commission pursuant to the provisions of this section shall be used solely for the internal purposes of the commission in determining the suitability of the prospective or current driver. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized or related governmental entity is prohibited. All criminal record check information shall be confidential and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.";** and"; and

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Alferman	Allen	Anderson	Andrews	Austin
Barnes	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brown 94	Burlison	Chipman
Cierpiot	Corlew	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	English
Entlicher	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Gosen	Hansen	Hill	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Justus	Keeney	Kelley	Kidd	King
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Roden	Roeber	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shull	Shumake
Solon	Swan	Taylor	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 040

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald



McManus	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 026

Bahr	Brattin	Brown 57	Conway 104	Cookson
Cornejo	Dugger	Engler	Fitzpatrick	Fitzwater 144
Flanigan	Haahr	Haefner	Hicks	Higdon
Hinson	Jones	Lichtenegger	Mitten	Muntzel
Peters	Rehder	Smith	Sommer	Spencer
Webber				

VACANCIES: 001

On motion of Representative Bondon, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Alferman	Anderson	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Brown 94	Burlison	Chipman	Cierpiot
Corlew	Cornejo	Crawford	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Entlicher
Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Gosen	Hansen	Hill	Hinson
Hoskins	Houghton	Hubrecht	Hurst	Johnson
Justus	Keeney	Kidd	King	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	Mathews
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Pogue	Redmon	Reiboldt
Remole	Richardson	Roden	Roeber	Rone
Rowden	Rowland	Ruth	Shaul	Shull
Shumake	Solon	Spencer	Swan	Taylor
Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 041

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kratky	LaFaver	Lavender
May	McCann Beatty	McCreery	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pace

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Peters Pierson Rizzo Runions Walton Gray  
Webber

PRESENT: 000

ABSENT WITH LEAVE: 028

Allen Bahr Black Brown 57 Conway 104  
Cookson Cross Engler English Fitzpatrick  
Flanigan Haahr Haefner Hicks Higdon  
Hough Jones Kelley Kirkton Lichtenegger  
McCaherty Montecillo Muntzel Rehder Rhoads  
Ross Smith Sommer

VACANCIES: 001

On motion of Representative Barnes, **House Amendment No. 3, as amended**, was adopted by the following vote, the ayes and noes having been demanded by Representative Hummel:

AYES: 078

Alferman Allen Anderson Andrews Austin  
Barnes Basye Beard Bernskoetter Brattin  
Brown 57 Brown 94 Burlison Cierpiot Curtis  
Curtman Davis Dogan Dohrman Eggleston  
English Fitzwater 49 Gannon Gosen Haahr  
Haefner Hansen Higdon Hill Hinson  
Hoskins Houghton Hubrecht Hurst Johnson  
Jones Justus Keeney Koenig Kolkmeier  
Korman Lair Lant Leara Love  
Marshall Mathews McDaniel McGaugh Morris  
Neely Parkinson Peters Pfautsch Phillips  
Pietzman Pike Richardson Roden Roeber  
Rone Rowden Rowland Ruth Shaul  
Shull Solon Spencer Swan Taylor  
Vescovo Webber White Wiemann Wilson  
Wood Zerr Mr. Speaker

NOES: 056

Adams Anders Arthur Berry Bondon  
Burns Butler Colona Conway 10 Corlew  
Crawford Dugger Dunn Ellington Fraker  
Franklin Frederick Gardner Green Harris  
Hubbard Hummel Kendrick Kirkton Kratky  
LaFaver Lavender Lynch May McCann Beatty  
McCreery McDonald McManus McNeil Meredith  
Messenger Miller Mims Mitten Moon  
Morgan Newman Nichols Norr Otto  
Pace Pierson Pogue Redmon Reiboldt  
Remole Rizzo Runions Shumake Walker  
Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 028

Bahr	Black	Carpenter	Chipman	Conway 104
Cookson	Cornejo	Cross	Engler	Entlicher
Fitzpatrick	Fitzwater 144	Flanigan	Hicks	Hough
Kelley	Kidd	King	Lauer	Lichtenegger
McCaherty	Montecillo	Muntzel	Rehder	Rhoads
Ross	Smith	Sommer		

VACANCIES: 001

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Alferman	Allen	Anderson	Andrews	Austin
Barnes	Basye	Beard	Bernskoetter	Berry
Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Corlew	Cornejo	Crawford
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	English	Entlicher	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Gosen
Haahr	Haefner	Hansen	Higdon	Hill
Hinson	Hoskins	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lynch
Mathews	McDaniel	McGaugh	Messenger	Miller
Moon	Morris	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Pogue	Redmon
Reiboldt	Remole	Richardson	Roden	Roeber
Rone	Rowden	Rowland	Ruth	Shaul
Shull	Shumake	Solon	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 041

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kratky	LaFaver	Lavender
Marshall	May	McCreery	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 022

Bahr	Black	Conway 104	Cookson	Cross
Engler	Fitzpatrick	Flanigan	Hicks	Hough

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Kirkton	Lichtenegger	Love	McCaherty	McCann Beatty
Montecillo	Muntzel	Rehder	Rhoads	Ross
Smith	Sommer			

VACANCIES: 001

On motion of Representative Gosen, **HCS HB 781, as amended**, was adopted.

On motion of Representative Gosen, **HCS HB 781, as amended**, was ordered perfected and printed.

**HCS HB 198**, relating to medication synchronization services, was taken up by Representative Morris.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Alferman	Anderson	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Burlison	Chipman	Cierpiot
Corlew	Cornejo	Crawford	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	English
Entlicher	Fitzwater 144	Fitzwater 49	Fraker	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen
Higdon	Hill	Hoskins	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mathews	McDaniel
McGaugh	Messenger	Miller	Moon	Morris
Neely	Parkinson	Pfautsch	Phillips	Pietzman
Pike	Pogue	Reiboldt	Remole	Richardson
Roden	Roeber	Rone	Rowden	Rowland
Ruth	Shull	Shumake	Solon	Spencer
Swan	Taylor	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 035

Adams	Anders	Arthur	Burns	Butler
Colona	Conway 10	Ellington	Gardner	Green
Harris	Hubbard	Hummel	Kendrick	Kratky
LaFaver	Lavender	May	McCreery	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Runions	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 032

Allen	Bahr	Black	Brown 94	Carpenter
Conway 104	Cookson	Cross	Curtis	Dunn
Engler	Fitzpatrick	Flanigan	Franklin	Hicks
Hinson	Hough	Kirkton	Lichtenegger	McCaherty
McCann Beatty	Montecillo	Muntzel	Redmon	Rehder
Rhoads	Rizzo	Ross	Shaul	Smith
Sommer	Webber			

VACANCIES: 001

On motion of Representative Morris, **HCS HB 198** was adopted.

On motion of Representative Morris, **HCS HB 198** was ordered perfected and printed.

**THIRD READING OF SENATE BILLS**

**HCS SS SCS SB 5**, relating to local government, was taken up by Representative Curtman.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. [If any city, town, village, or county receives more than thirty percent of its annual general operating revenue from fines and court costs for traffic violations, including amended charges from any traffic violation, occurring within the city, town, village, or county, all revenues from such violations in excess of thirty percent of the annual general operating revenue of the city, town, village, or county shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, village, or county disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, village, or county may submit to an annual audit by the state auditor under

the authority of Article IV, Section 13 of the Missouri Constitution. An accounting of the percent of annual general operating revenue from fines and court costs for traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county shall be included in the comprehensive annual financial report submitted to the state auditor by the city, town, village, or county under section 105.145. Any city, town, village, or county which fails to make an accurate or timely report, or to send excess revenues from such violations to the director of the department of revenue by the date on which the report is due to the state auditor shall suffer an immediate loss of jurisdiction of the municipal court of said city, town, village, or county on all traffic-related charges until all requirements of this section are satisfied. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.] **The provisions of subsection 1 of this section shall not apply to minor traffic offenses as defined in section 479.350.**"; and

Further amend said substitute, Pages 1-2, Section 479.020, Lines 1-40, by removing all of said section from the substitute; and

Further amend said substitute, Page 2, Section 479.155, Line 8, by removing all of said line and inserting in lieu thereof the following:

**"of the supreme court and shall complete";** and

Further amend said substitute, Page 3, Section 479.350, Line 4, by inserting after the word "**fines**," the following:

**"court costs,"**; and

Further amend said substitute, said page, said section, Line 12, by removing the word "**fees**" and inserting in lieu thereof the following:

**"costs, fees, or surcharges";** and

Further amend said substitute, said page, said section, Line 14, by inserting immediately after the word "**a**" the words "**municipal or county ordinance**"; and

Further amend said substitute, Page 3, Section 479.353, Line 10, by inserting after said line the following:

**"479.356. If a person fails to pay court costs, fines, fees, or other sums ordered by a municipal court, to be paid to the state or political subdivision, a municipal court may report any such delinquencies in excess of twenty-five dollars to the director of the department of revenue if submitted through the fine collection center administered by the office of state court administrator and request that the department seek a setoff of an income tax refund as provided by sections 143.782 to 143.788. The department shall promulgate rules necessary to effectuate the purpose of the offset program.";** and

Further amend said substitute, Page 4, Section 479.359, Line 17, by removing the word "**or**" in the first instance and inserting in lieu thereof the word "**and**"; and

Further amend said substitute, said page, said section, Line 24, by removing all of said line and inserting in lieu thereof the following:

**"(1) Defendants in custody pursuant to an initial arrest warrant issued by a municipal court have an";**  
and

Further amend said substitute, said page, said section, Lines 28-30, by removing all of said line and inserting in lieu thereof the following:

**"(2) Defendants in municipal custody shall not be held more than twenty-four hours without a warrant after an arrest;"**; and

Further amend said substitute, said page, said section, Lines 35-37, by removing all of said lines and inserting in lieu thereof the following:

**"(5) The municipal court only assesses fines and costs as authorized by law;"**; and

Further amend said substitute, said page, said section, by renumbering the subsections accordingly; and

Further amend said substitute, Page 5, Section 479.362, Lines 1-4, by removing said lines and inserting in lieu thereof the following:

**"479.362. 1. The auditor shall transmit to the director of the department of revenue whether or not the addendum required by section 479.359 was timely filed. The director of the department of revenue shall review the information filed in the addendum as required by section 479.359 and shall determine"**; and

Further amend said substitute, said page, said section, Line 10, by removing the word "**auditor**" and inserting in lieu thereof the following:

**"director of the department of revenue"**; and

Further amend said substitute, Page 6, said section, Lines 15-16, by removing all of said lines and inserting in lieu thereof the following:

**"the director of the department of revenue, the director shall determine whether the county, city, town, or village failed to pay any excess amount required. If so, the director shall send the notice of failure to pay"**; and

Further amend said substitute, said page, said section, Line 19, by removing the word "**auditor**" and inserting in lieu thereof the following:

**"director of the department of revenue"**; and

Further amend said substitute, said page, said section, Line 21, by deleting the words "**state auditor**" and inserting in lieu thereof the words "**director of the department of revenue**"; and

Further amend said substitute, said page, said section, Line 23, by removing the phrase "**and the state auditor**"; and

Further amend said substitute, said page, said section, Line 28, by removing the phrase "**state auditor's**" and insert in lieu thereof the following:

**"director of the department of revenue's"**; and

Further amend said substitute, said page, said section, Lines 33-35, by removing all of said lines and inserting in lieu thereof the following:

**"5. If any county, city, town, or village has failed to make an accurate or timely report under section 105.145 or send excess revenue to the director of the department of revenue and the sixty-day period described in subsection 1 of this section has passed or there has been a final adjudication of the case, whichever is later, the county, city, town, or village shall have five business days to become compliant with the provisions of this section after which time any matters pending in the municipal court shall"**; and

Further amend said substitute, said page, said section, Line 37, by inserting immediately after the word "**court**" the following:

**"until such county, city, town, or village is compliant with the provisions of this section";** and

Further amend said substitute, said page, said section, Line 38, by removing all of said line and inserting in lieu thereof the following:

**"matter reassigned to other divisions within the court shall be considered excess revenue. The excess revenue shall be paid to the director of the department of revenue";** and

Further amend said substitute, said page, said section, Line 40, by inserting immediately after "**revenue**" the following:

**"If the noncompliant county, city, town, or village thereafter makes an accurate report under section 105.145 or sends excess revenue to the director of the department of revenue, the municipal court shall be eligible to hear cases initiated on the day after the director of revenue receives the report or excess revenue. All fines, bond forfeitures, and court costs generated from these cases shall be subject to section 479.359.";** and

Further amend said substitute, said page, said section, Line 40, by inserting immediately after said line the following:

**"6. The state auditor shall have the authority to audit any addendum and any supporting documents submitted to the department of revenue by any county, city, town, or village.";** and

Further amend said substitute, Page 6, Section 479.368, Lines 1-2, by deleting said lines and inserting in lieu thereof the following:

**"479.368. 1. Except for county sales taxes deposited in the "County Sales Tax Trust Fund" as defined in section 66.620, any county, city, town, or village failing to timely file the required addendum and remit the required excess revenues, if applicable, after the time period provided by the notice by the auditor or any final";** and

Further amend said bill, page, and section, Line 9, by inserting immediately after said line the following:

**"2. Any city, town, village, or county that participates in the distribution of local sales tax in sections 66.600 to 66.630 and fails to timely file the required addendum and remit the required excess revenues, if applicable, as required by section 479.359 shall not receive any amount of monies to which said city, town, village, or county would otherwise be entitled under 66.600 to 66.630. The director of revenue shall hold any disbursements to the noncompliant city, town, village, or county authorized under sections 66.600 to 66.630. No disbursements to the noncompliant city, town, village, or county shall be permitted until a determination is made by the director of revenue that the noncompliant city, town, village, or county has come into compliance with the provisions of section 479.359. If a noncompliant city, town, village, or county becomes disincorporated, any monies shall be distributed to the schools of the county in the same manner that proceeds of all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed." ;** and

Further amend said bill and section, Page 7, Line 10, by deleting the number"2." and inserting in lieu thereof the number "3."; and

Further amend said substitute, Pages 7-9, Section 302.341, Lines 1-59, by removing all of said section from the substitute; and

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



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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 7, Section 479.372, Line 8, by inserting immediately after said line the following:

**"479.375. If any provision of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 or their application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 which can be given effect without the invalid provision or application, and to this end the provisions of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 are severable.";** and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section A, Line 3, by inserting immediately after said line the following:

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

**(1) "Minimum standards", adequate and material provision of each of the items listed in subsection 2 of this section;**

**(2) "Municipality", any city, town, or village located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;**

**(3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under chapter 590.**

**2. Every municipality shall meet minimum standards within three years of the effective date of this section by providing the following municipal services, financial services, and reports:**

**(1) A balanced annual budget listing anticipated revenues and expenditures, as required in section 67.010;**

**(2) Creation, funding, and regular implementation of a capital improvements plan to identify and prioritize capital expenditures and to ensure adequate maintenance of public roads and streets, parks, and other public facilities owned by the municipality including, but not limited to, buildings and equipment valued at one thousand dollars or more;**

**(3) An annual audit by a certified public accountant of the finances of the municipality that includes a report on the internal controls utilized by the municipality and prepared by a qualified financial consultant that are implemented to prevent misuse of public funds. The municipality also shall include its current procedures that show compliance with or reasonable exceptions to the recommended internal controls;**

**(4) A cash management and accounting system that accounts for all revenues and expenditures;**

**(5) Adequate levels of insurance to minimize risk to include:**

**(a) General liability coverage;**

**(b) If applicable, liability coverage with endorsements to cover emergency medical personnel and paramedics;**

**(c) If applicable, police professional liability coverage;**

**(d) Workers compensation benefits for injured employees under the provisions of chapter 287; and**

**(e) Bonds for local officials as required by section 77.390, 79.260, 80.250, or local charter;**

(6) Access to a complete set of ordinances adopted by the governing body available to the public within ten business days of a written request. An online version of the regulations or code shall satisfy this requirement for those ordinances that are codified;

(7) A police department accredited or certified by the Commission on Accreditation for Law Enforcement Agencies or the Missouri Police Chiefs Association or a contract for police service with a police department accredited or certified by such entities;

(8) Written policies regarding the safe operation of emergency vehicles, including a policy on police pursuit;

(9) Written policies regarding the use of force by peace officers;

(10) Written general orders for a municipal police department unless contracting with another municipality or county for police services;

(11) Written policies for collecting and reporting all crime and police stop data for the municipality as required by law. Such policies shall be forwarded to the attorney general's office;

(12) Construction code review, directly or by contract with a public or private agency;

(13) Refuse and recycling collection that complies with applicable county codes; and

(14) Information published annually on the website of the municipality indicating how the municipality met the standards in this subsection. If there is no municipal website, the information shall be submitted to the county for publication on its website, if it has a website.

3. If any person has belief or knowledge that any municipality has failed to ensure that the standards listed in subsection 2 of this section are regularly provided and are likely to continue to be provided, he or she may make an affidavit before any person authorized to administer oaths setting forth the facts alleging the failure to meet the required standards and file the affidavit with the attorney general. It shall be the duty of the attorney general, if, in his or her opinion, the facts stated in the affidavit justify, to declare whether the municipality is operating below minimum standards, and if it is, the municipality shall have sixty days to rectify the deficiencies in services noted by the attorney general. If after sixty days the municipality is still deemed by the attorney general to have failed to rectify sufficient minimum standards to be in compliance with those specified by subsection 2 of this section, the attorney general may file suit in the circuit court of the county. If the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the circuit court of the county shall order the following remedies in the order listed:

(1) Appointment of an administrative authority for the municipality including, but not limited to, another political subdivision, the state, or a qualified private party to administer all revenues under the name of the municipality or its agents and all funds collected on behalf of the municipality. If the court orders an administrative authority to administer the revenues under this subdivision, it shall send an order to the director of revenue or other party charged with distributing tax revenue, as identified by the attorney general, to distribute such revenues and funds to the administrative authority who shall use such revenues and existing funds to provide the services required under a plan approved by the court. The court shall enter an order directing all financial and other institutions holding funds of the municipality, as identified by the attorney general, to honor the directives of the administrative authority. Any salaries and benefits paid to the members of the governing body shall cease from the time of the appointment of the administrative authority until such time as the court determines that the governing body is entitled to resume receipt of income and enters an order to that effect;

(2) Remove from office all elected officials of the municipality the court finds are responsible for the municipality not coming into compliance with the minimum standards specified in subsection 2 of this section within ninety days from the date the court enters its order finding the municipality is not in compliance with the minimum standards specified in subsection 2 of this section. The court shall appoint new officials to fill the remainder of the terms of those removed from office in a manner to create a logical transition;

(3) If the court finds that the minimum standards specified in subsection 2 still are not established at the end of ninety days from the time of the appointment of new officials, the court may either enter an order disincorporating the municipality or order placed on the ballot the question of whether to disincorporate the municipality as provided in subsection 2 of section 479.368. The court also shall place the question of disincorporation on the ballot as provided by subsection 2 of section 479.368 if at least twenty percent of the registered voters residing in the subject municipality or forty percent of the number of voters who voted in the last municipal election, whichever is lesser, submit a petition to the court while the matter is pending, seeking disincorporation. If electors vote to disincorporate, the court shall determine the date upon which the disincorporation shall occur, taking into consideration a logical transition.

**4. The court shall have ongoing jurisdiction to enforce its orders and carry out the remedies in subsection 3 of this section."**; and

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

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

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Alferman	Anderson	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Corlew	Cornejo	Crawford	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler
Entlicher	Fitzwater 144	Fitzwater 49	Fraker	Frederick
Gannon	Gosen	Haahr	Hansen	Higdon
Hill	Hinson	Hoskins	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris
Neely	Parkinson	Pfautsch	Phillips	Pietzman
Pike	Pogue	Reiboldt	Remole	Rhoads
Richardson	Roden	Roeber	Rone	Rowden
Rowland	Ruth	Shaul	Shull	Shumake
Solon	Spencer	Swan	Taylor	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 035

Adams	Anders	Arthur	Burns	Butler
Colona	Conway 10	Curtis	Gardner	Green
Harris	Hubbard	Hummel	Kendrick	Kratky
Lavender	Marshall	May	McCreery	McDonald
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Runions	Smith	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 030

Allen	Bahr	Black	Brattin	Carpenter
Conway 104	Cookson	Cross	Dunn	Ellington
English	Fitzpatrick	Flanigan	Franklin	Haefner
Hicks	Hough	Kirkton	LaFaver	Lichtenegger
McCann Beatty	McManus	Montecillo	Muntzel	Redmon
Rehder	Rizzo	Ross	Sommer	Webber

VACANCIES: 001

On motion of Representative Curtman, **HCS SS SCS SB 5, as amended**, was adopted.

On motion of Representative Curtman, **HCS SS SCS SB 5, as amended**, was read the third time and passed by the following vote:

AYES: 131

Alferman	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Chipman
Cierpiot	Colona	Conway 10	Conway 104	Corlew
Cornejo	Crawford	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Ellington	Engler
English	Entlicher	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Gosen
Green	Haahr	Haefner	Hansen	Harris
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kendrick	Kidd	King	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McDaniel
McGaugh	McManus	Messenger	Miller	Mitten
Moon	Morgan	Morris	Neely	Nichols
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roden	Roeber
Rone	Rowden	Rowland	Runions	Ruth
Shaul	Shull	Shumake	Solon	Spencer
Swan	Taylor	Vescovo	Walker	Webber
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 019

Adams	Butler	Curtis	Gardner	Kirkton
Lavender	Love	McCreery	McDonald	McNeil
Meredith	Mims	Newman	Norr	Otto
Pace	Pogue	Smith	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Carpenter	Cookson	Cross	Dunn
Fitzpatrick	Hicks	Montecillo	Muntzel	Rehder
Ross	Sommer			

VACANCIES: 001

Representative Keeney declared the bill passed.

### **PERFECTION OF HOUSE BILLS**

**HB 101**, relating to taxation of utilities used in food preparation, was taken up by Representative Redmon.

On motion of Representative Redmon, **HB 101** was ordered perfected and printed.

**HB 322**, relating to criminal background checks, was taken up by Representative Shumake.

On motion of Representative Shumake, **HB 322** was ordered perfected and printed.

**HB 1024**, relating to the commission on capitol security infrastructure, was taken up by Representative Higdon.

On motion of Representative Higdon, **HB 1024** was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 137** - Fiscal Review  
**HCS HB 198** - Fiscal Review  
**HCS HB 476** - Fiscal Review  
**HCS HB 1066** - Fiscal Review  
**HCS HB 1184** - Fiscal Review  
**HCS HB 1318** - Fiscal Review

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 20** - Emerging Issues

### **REFERRAL OF SENATE BILLS**

**SCS SB 321** - Civil and Criminal Proceedings  
**SB 369** - Corrections  
**SS SB 457** - Health Insurance  
**SB 474** - Transportation  
**SB 500** - Agriculture Policy  
**SCS SB 539** - Local Government  
**SB 561** - Public Safety and Emergency Preparedness

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 280**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 335**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

### *House Committee Amendment No. 1*

AMEND House Bill No. 335, Page 1, Section 507.250, Line 8, by deleting the words "**pro se plaintiff**" and inserting in lieu thereof the words "**litigant**"; and

Further amend said bill, Page 3, Section 507.259, Line 29, by inserting immediately after said line the following:

**"7. Nothing in this section shall apply to cases brought under chapters 451 through 455";** and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 840**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1207**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1209**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

### *House Committee Amendment No. 1*

AMEND House Bill No. 1209, Page 1, Section 478.007, Line 13, by inserting immediately after the word "monitoring," the following phrase "**as defined in section 577.001,**"; and

Further amend said bill and section, Page 2, Line 28, by inserting immediately after said section and line the following:

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

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Has been found guilty of one or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court;

(5) "Chronic offender", a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) "Chronic boating offender", a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

**(7) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690.**

**(8) "Controlled substance", a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;**

**[(8)] (9) "Drive", "driving", "operates" or "operating", means physically driving or operating a vehicle or vessel;**

**[(9)] (10) "Flight crew member", the pilot in command, copilots, flight engineers, and flight navigators;**

**[(10)] (11) "Habitual offender", a person who has been found guilty of:**

**(a) Five or more intoxication-related traffic offenses committed on separate occasions; or**

**(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or**

**(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or**

**(d) While driving while intoxicated, the defendant acted with criminal negligence to:**

a. Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, or the highway's right-of-way; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

[(11)] (12) "Habitual boating offender", a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant's vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

[(12)] (13) "Intoxicated" or "intoxicated condition", when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

[(13)] (14) "Intoxication-related boating offense", operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(14)] (15) "Intoxication-related traffic offense", driving while intoxicated, driving with excessive blood alcohol content or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(15)] (16) "Law enforcement officer" or "arresting officer", includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

[(16)] (17) "Operate a vessel", to physically control the movement of a vessel in motion under mechanical or sail power in water;

[(17)] (18) "Persistent offender", a person who has been found guilty of two or more intoxication-related traffic offenses committed on separate occasions;

[(18)] (19) "Persistent boating offender", a person who has been found guilty of two or more intoxication-related boating offenses committed on separate occasions;

[(19)] (20) "Prior offender", a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

[(20)] (21) "Prior boating offender", a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or



(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision (10) of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

**4. In cases where a person found guilty of the offense of driving while intoxicated as a second offense, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.**

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] 6. A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment[.]; **and**

**(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.**

577.012. 1. A person commits the offense of driving with excessive blood alcohol content if such person operates:

(1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood;

or

(2) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of driving with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual offender.

4. A person found guilty of the offense of driving with an excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

**6. In cases where a person is found guilty of the offense of driving with an excessive blood alcohol content as a second offense, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.**

7. A person found guilty of driving with excessive blood alcohol content:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

**(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.**

577.013. 1. A person commits the offense of boating while intoxicated if he or she operates a vessel while in an intoxicated condition.

2. The offense of boating while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior boating offender; or

(b) A person less than seventeen years of age is present in the vessel;

(3) A class E felony if:

(a) The defendant is a persistent boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision (11) of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of boating while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

**4. In cases where a person is found guilty of the offense of boating while intoxicated as a second offense, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.**

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] 6. A person found guilty of the offense of boating while intoxicated:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

**(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.**

577.014. 1. A person commits the offense of boating with excessive blood alcohol content if he or she operates a vessel while having eight-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of boating with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior boating offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent boating offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated boating offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic boating offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual boating offender.

4. A person found guilty of the offense of boating with excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. When a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

**6. In cases where a person is found guilty of the offense of boating with an excessive blood alcohol content as a second offense, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.**

7. A person found guilty of the offense of boating with excessive blood alcohol content:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender, shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent boating offender, shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender, shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender, shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

**(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.";** and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

**Committee on Corrections**, Chairman Fitzwater (144) reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **SB 317**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND Senate Bill No. 317, Page 12, Section 5, Line 171, by inserting immediately after said line the following:

**"Section 6. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as the Nevada Rehabilitation Center, Vernon County, Missouri. The property to be conveyed is more particularly described as follows:**

**Tract 2:**

**A tract of land being located in the Northwest 1/4 of Section 33, Township 36 North, Range 31 West of the 5th P.M., Vernon County, Missouri, being described as follows:**

Commencing at the Northwest corner of said Northwest 1/4; thence S02°21'48"W along the West line of said Northwest 1/4, a distance of 1543.07 feet; thence S88°11'56"E a distance of 857.45 feet measured (858.35' deeded); thence N62°58'10"E a distance of 65.33 feet measured (65.44' deeded); thence S88°19'19"E a distance of 56.19 feet measured (55.90' deeded); thence S01°48'16"W a distance of 102.52 feet to the POINT OF BEGINNING; thence S86°55'59"E a distance of 50.03 feet; thence N63°21'53"E a distance of 77.16 feet; thence S88°29'29"E a distance of 188.55 feet to the Westerly Right of Way line of State Highway "W"; thence S02°46'09"W along said Right of Way line, a distance of 112.03 feet to the Northeast Corner of Lot 1 of Block 1 of Ash Place, a subdivision located in Nevada, Vernon County, Missouri; thence N88°08'38"W along the North line of said Lot 1, a distance of 186.66 feet measured (185.80' platted); thence S63°21'43"W along said North line, a distance of 77.07 feet measured (77.17' platted); thence N87°22'38"W along said North line, a distance of 50.06 feet; thence N01°48'16"E a distance of 89.91 feet measured (90.00' platted); thence continuing N01°48'16"E a distance of 21.31 feet returning to the Point of Beginning. Having an Area of 0.78 acres.

Subject to road right of ways and easements, public and private, as may be now located.

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

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

Section 7. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as 2108 East 35th Street, Kansas City, Missouri. The property to be conveyed is more particularly described as follows:

Lot 114, South Windsor, a subdivision in Kansas City, Jackson County, Missouri, subject to restrictions, reservations, covenants and easements of record, if any.

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

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

Section 8. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as 2212 Wabash Avenue, Kansas City, Missouri. The property to be conveyed is more particularly described as follows:

Lot 6, Block 6, Prospect Summit, a subdivision in Kansas City, (Jackson County), Missouri.

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

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

Section 9. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as the Nevada Springfield Veterans Walking Trail, Greene County, Missouri. The property to be conveyed is more particularly described as follows: Part of the northeast quarter of the northwest quarter of section 21, township 28 north, range 21 west in Greene County, Missouri, described as follows: commencing at the southeast corner of the northeast quarter of the northwest quarter of said section 21; thence N02°02'09"E along the east line of said northeast quarter of the northwest quarter, 593.25 feet to an existing iron pin at the northeast corner of a tract of land deeded to the State of Missouri (for Veterans Cemetery) as described in book 2425, page 1529 at the Greene County recorder's office, for the point of beginning; thence along the 1143 elevation contour line and the northerly boundary of said State of Missouri tract, the following six courses: N61°12'09"W, 209.13 feet to an iron pin; N62°22'34"W, 253.18 feet to an iron pin; N64°23'36"W, 195.02 feet to an iron pin; N65°04'20"W, 244.44 feet to an iron pin; N66°44'15"W, 266.90 feet to an iron pin; and N66°07'48"W, 169.46 feet to the easterly right-of-way line of the Frisco Railroad; thence S25°38'24"W along said railroad right-of-way line, 39.87 feet; thence leaving said right-of-way line, S62°14'11"E, 173.33 feet; thence S30°14'00"E, 81.29 feet; thence S66°44'15"E, 198.41 feet; thence S65°04'20"E, 242.39 feet; thence S64°23'36"E, 192.67 feet; thence S62°22'34"E, 250.40 feet; thence S61°12'09"E, 258.54 feet to the east line of said northeast quarter of the northwest quarter; thence N02°02'09"E along said east line, 112.00 feet to the point of beginning. (Bearings are based on grid north, Missouri coordinate system of 1983, Central Zone).

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

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 10. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as the B W Sheperd State School, Kansas City, Jackson County, Missouri. The property to be conveyed is more particularly described as follows:**

**Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11, Resurvey of Block 8, PORTER PARK, a subdivision of Kansas City, Jackson County, Missouri, according to the recorded plat thereof.**

**Subject to easements, restrictions and reservations of record.**

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

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 11. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest of the state of Missouri in fee simple absolute in property known as Camp Zoe, Shannon County, Missouri. The property to be conveyed is more particularly described as follows:**

**Premises located at Camp Zoe, Shannon County, Missouri, shall be further described as follows:**

**Land for two access roads for silviculture, conservation and research purposes, further described as:**

**One strip of land being thirty feet (30") wide through part of the Southwest Quarter of Section 5 and through part of the Northwest Quarter of Section 8, all in Township 30 North, Range 4 West, in Shannon County, Missouri and being more particularly described as follows:**

**Said thirty foot wide access easement lying 15.00 feet on each side of the following described centerline;**

**Commencing at the Southwest corner of said Section 5, thence along the South line of said Southwest Quarter of said Section 5, South 89 degrees 25 minutes 38 seconds East a distance of 570.71 feet; thence leaving said South line, North 00 degrees 34 minutes 22 seconds East a distance of 150.00 feet; thence South 89 degrees 25 minutes 38 seconds East a distance of 237.40 feet to the Point of Beginning of the centerline of said access easement; thence along said centerline, South 00. degrees 34 minutes 22 seconds West a distance of 53.48 feet; thence South 31 degrees 38 minutes 41 seconds East a distance of 98.29 feet; thence along a curve to right, having a radius of 50.00 feet, an arc distance of 36.00 feet, a chord of South 11 degrees 01 minutes 05 seconds East 35.23 feet; thence South 09 degrees 36 minutes 30 seconds West a distance of 24.55 feet; thence along a curve to the left, having a radius of 100.00 feet, an arc distance of 106.15 feet, a chord of South 20 degrees 48 minutes 10 seconds East 101.24 feet; thence South 51 degrees 12 minutes 49 seconds East a distance of 47.12 feet; thence along a curve to the right, having a radius of 112.00 feet, an arc distance of 105.37 feet, a chord of South 24 degrees 15 minutes 38 seconds East 101.53 feet; thence South 02 degrees 41 minutes 33 seconds West a distance of 51.50 feet to the point of terminus of said centerline of access easement at the centerline of relocated CO RD 19B.**

**and**

**One strip of land being thirty feet (30') wide through part of the Northwest Quarter of Section 8, in Township 30 North, Range 4 West, in Shannon County, Missouri and being more particularly described as follows:**

**Said thirty foot wide access easement lying 15.00 feet on each side of the following described centerline;**

**Commencing at the Northwest corner of said Section 8, thence along the North line of said Northwest Quarter of said Section 8, South 89 degrees 25 minutes 38 seconds East a distance of 25.00 feet to the Point of Beginning of the centerline of said access easement; thence South 01 degree 31 minutes 55 seconds West a distance of 149.47 feet to the point of terminus of said centerline of access easement at the centerline of relocated CO RD 19B.**

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

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 12. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in St. Louis County to St. Louis County. The property to be conveyed is more particularly described as follows:**

**A tract of land being part of U.S. Survey 1909, Township 47 North, Range 7 East, St. Louis County, Missouri and being more particularly described as follows:**

**Commencing at the most eastern corner of property conveyed to the State of Missouri and described in an instrument recorded in deed book 9143 page 2161 of the St. Louis County records; thence northwestwardly along the northeast lines of said property conveyed to the State of Missouri the following courses and distances: North 55 degrees 47 minutes 48 seconds West 931.66 feet, South 34 degrees 00 minutes 13 seconds West 30.96 feet, North 53 degrees 48 minutes 20 seconds West 156.16 feet and South 43 degrees 14 minutes 47 seconds West 26.31 feet**

to the actual point of beginning of the property described herein. From said point of beginning, thence along curve to the right whose radius bears South 25 degrees 16 minutes 19 seconds West 225.00 feet from the last mentioned point an arc distance of 40.71 feet to a point; thence South 13 degrees 55 minutes 42 seconds East 11.02 feet to a point; thence South 53 degrees 16 minutes 42 seconds East 23.16 feet to a point; thence South 61 degrees 10 minutes 49 seconds East 62.24 feet to a point; thence South 54 degrees 00 minutes 08 seconds East 207.82 feet to a point; thence along a curve to the right whose radius point bears South 57 degrees 17 minutes 09 seconds West 35.00 feet from the last mentioned point an arc distance of 26.43 feet to a point; thence along a compound curve to the right whose radius point bears North 79 degrees 26 minutes 59 seconds West 138.00 feet from the last mentioned point an arc distance 41.66 feet to a point; thence south 27 degrees 50 minutes 45 seconds West 37.93 feet to a point; thence along a curve to the right whose radius point bears North 62 degrees 09 minutes 15 seconds West 85.00 feet from the last mentioned point an arc length of 97.19 feet to a point; thence North 86 degrees 38 minutes 33 seconds West 65.10 feet to a point; thence along a curve to the right whose radius point bears North 03 degrees 21 minutes 27 seconds East 275.00 feet from the last mentioned point an arc length of 38.52 feet to a point; thence North 61 degrees 29 minutes 42 seconds West 199.58 feet to a point; thence North 20 degrees 09 minutes 54 seconds East 45.15 feet to a point; thence North 48 degrees 32 minutes 45 seconds West 222.73 feet to a point; thence along a curve to the right whose radius point bears South 43 degrees 19 minutes 00 seconds East 295.00 feet from the last mentioned point an arc distance of 51.15 feet to a point; thence along a compound curve to the right whose radius point bears South 33 degrees 22 minutes 54 seconds East 200.00 feet from the last mentioned point an arc distance of 65.46 feet to a point in the aforesaid Northeast line of property conveyed to the State of Missouri; thence Southeastwardly along said Northeast line the following courses and distances: South 04 degrees 41 minutes 10 seconds West 84.67 feet, South 66 degrees 09 minutes 05 seconds East 74.40 feet and North 43 degrees 14 minutes 47 seconds East 141.30 feet to the point of beginning and containing 95,736 square feet or 2.198 acres according to a survey by EFK MOEN, L.L.C during January, 2015.

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

3. The instrument of conveyance shall include the following statement: The state and St. Louis County, recognizing the special relationship they share in regard to the use of the property, shall continue to cooperate regarding the use of the property.

4. The attorney general shall approve the form of the instrument of conveyance."; and

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

Mr. Speaker: Your Committee on Corrections, to which was referred **SCS SB 435**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

**Committee on Economic Development and Business Attraction and Retention,**  
Chairman Rowden reporting:

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 528**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

*House Committee Amendment No. 1*

AMEND House Bill No. 528, Page 1, Section 135.1785, Line 2, by deleting all of said line and inserting in lieu thereof the following:

(1) "**Baldrige award**", the Malcolm Baldrige National Quality Award established under 15; and



Further amend said bill, page, section, Line 6, by deleting all of said line and inserting in lieu thereof the following:

**"receives a Baldrige award in the small business category and:"**; and

Further amend said bill, page, section, Line 7, by inserting after the word, "**with**" the words, "**at least**"; and

Further amend said bill, Page 2, section, Line 19, by inserting before the words, "**tax credit**" the words, "**one-time**"; and

Further amend said bill, page, section, Line 25, by deleting the words, "**contribution was made**" and inserting in lieu thereof the words, "**Baldrige award was announced**"; and

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

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 865**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

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

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SCS SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SB 110**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SB 148**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

*House Committee Amendment No. 1*

AMEND Senate Bill No. 148, In the Title, Line 3, by deleting the phrase "corporate registration reports for farm corporations" and inserting in lieu thereof the phrase "business regulations"; and

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

"137.076. In establishing the value of a parcel of real property the county assessor shall consider current market conditions and previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. For purposes of this section, the term "current market conditions", shall include:

1. The impact upon the housing market of foreclosures and bank sales;

2. Existing use of the property, including any restrictions or limitations on the use of the property resulting from state or federal law or rules and regulations adopted pursuant to the authority of state or federal law;

3. Existing covenants or restrictions in deed dedicating the property to a particular use;

4. Rent limitations, operational requirements, and any other restrictions imposed upon the property in connection with the property being eligible for any income tax credits under section 42 of the Internal Revenue Code of 1986 as amended or receiving any other state or federal subsidies provided with respect to use of the property as residential rental property."; and

Further amend said bill, Page 3, Section 351.120, Line 56, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, any individual who holds an occupational license issued by the Missouri gaming commission as a unarmed security guard serving on an excursion gambling boat, or a facility adjacent to such boat, shall be exempt from any other political subdivision's licensing requirements for unarmed security guards. This section is intended to preempt the use of multiple standards for regulating unarmed security guards in areas subject to regulation by the Missouri gaming commission and the commission shall have sole authority to license and regulate unarmed security guards on excursion gambling boats and adjacent facilities."; and

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

**Committee on Emerging Issues in Education**, Chairman Rowland reporting:

Mr. Speaker: Your Committee on Emerging Issues in Education, to which was referred **HB 1083**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

**Committee on Health and Mental Health Policy**, Chairman Frederick reporting:

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

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SCS SB 35**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(12) be referred to the Select Committee on Social Services.

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SB 82**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(12) be referred to the Select Committee on Social Services.

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SCS SB 380**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(12) be referred to the Select Committee on Social Services.

*House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 380, Page 2, Section 192.926, Line 39, by deleting all of said line and inserting in lieu thereof the following:

"(7) **The skilled nursing community predominately serving MO HealthNet participants;**" and

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

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SB 426**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(12) be referred to the Select Committee on Social Services.

**Committee on Professional Registration and Licensing**, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 896**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

*House Committee Amendment No. 1*

AMEND House Bill No. 896, Page 1, Section 329.030, Lines 4-5, by deleting the words "**any medical facility licensed under chapter 197 or**"; and

Further amend said bill, page, and section, Lines 6 and 7, by deleting the words "**so long as such acts**" and inserting in lieu thereof the following "**provided that these acts do not include the use chemicals for performing permanents and hair coloring and**"; and

Further amend said bill, page and section, Lines 8 and 9, by deleting the phrase "**chapters 197 and**" and inserting in lieu thereof the following "**chapter**"; and

Further amend said bill, page and section, Line 9, by inserting immediately after the word "**chapter**" the following "**, provided that any customer of the agent or employee is a resident of the convalescent, nursing, or boarding home licensed under chapter 198**"; and

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

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 897**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

*House Committee Amendment No. 1*

AMEND House Bill No. 897, Page 2, Section 198.018, Line 42, by inserting a closing bracket "]" after the word "service" and removing the closing bracket "]" after the word "safety"; and

Further amend said bill, page, and section, Line 43, by inserting immediately after said line and inserting in lieu thereof the following:

**"The state fire marshal may authorize and designate a local fire safety agency to conduct all fire safety inspections for such facility. Such facility shall receive a safety inspection by either a local fire safety agency or the state fire marshal."**; and

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

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 107**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3, House Committee Amendment No. 4, House Committee Amendment No. 5, House Committee Amendment No. 6, House Committee Amendment No. 7, House Committee Amendment No. 8, and House Committee Amendment No. 9**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

*House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"324.001. 1. (1) **The purpose of sections 324.001 to 324.1109 is to promote the general welfare by establishing guidelines for the regulation of occupations and professions not regulated prior to January 1, 2016.**

(2) **All individuals may engage in the occupation of their choice, free from unreasonable government regulation. The state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a compelling interest for the state to protect the general welfare. If such an interest exists, the regulation adopted by the state shall be the least restrictive type of regulation consistent with the public interest to be protected.**

(3) **All bills introduced in the legislature to regulate an occupation or profession for the first time shall be reviewed according to the following criteria. An occupation or profession shall be regulated by the state only if:**

(a) **Unregulated practice has caused significant harm and endangered the general welfare and the potential for further harm and endangerment is easily recognizable and not remote or dependent upon tenuous argument;**

(b) **The public needs and can reasonably be expected to benefit from an assurance of initial personal qualifications; and**

(c) **The general welfare cannot be effectively protected by other means.**

(4) **After evaluating the criteria in subdivision (3) of this subsection and considering governmental, economic, and societal costs and benefits, if the legislature finds that the state has a compelling interest in regulating an occupation or profession not previously regulated by law, the least restrictive type of regulation shall be implemented, consistent with the need to protect the general welfare and this section. If:**

(a) **Market competition, common law, statutory civil actions, and criminal prohibitions are insufficient to eradicate actual harm, the regulation shall provide for stricter civil actions and criminal prosecutions;**

(b) **A service is being performed for individuals involves a hazard to the general welfare, the regulation shall impose inspection requirements and enable an appropriate state agency to enforce violations by injunctive relief in court including, but not limited to, regulation of the business activity providing the service rather than practitioners;**

(c) **The threat to the general welfare resulting from the practitioner's services is relatively small, easily identifiable or predictable, the regulation shall implement a system of insurance, bonding, or registration;**

(d) **The consumer possesses significantly less information so that the practitioner puts the consumer in a disadvantageous position relative to the practitioner to judge the quality of the practitioner's services, the regulation shall implement a voluntary system of certification; or**

(e) **There is no other type of regulation that will protect the general welfare other than licensing, the regulation shall implement a system of licensing.**

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

(1) **"Applicant group", any occupational or professional group or organization, any individual, or any other interested party that proposes that any occupation or profession not presently regulated be regulated;**

(2) **"Certification", a voluntary program in which the government grants nontransferable recognition to an individual who meets personal qualifications established by a legislative body. Upon approval, the individual may use "certified" as a designated title. Someone who has not been recognized as certified may**

**perform the occupation for compensation lawfully, but shall not use the title “certified”. This term shall not be synonymous with an occupational license or prohibit the use of private certification;**

(3) "Department", the department of insurance, financial institutions and professional registration;

[~~(2)~~] (4) "Director", the director of the division of professional registration; and

[~~(3)~~] (5) "Division", the division of professional registration;

(6) "General welfare", the concern of the government for the health, peace, morality, and safety of its citizens;

(7) "Grandfather clause", a provision in a regulatory statute applicable to practitioners actively engaged in the regulated occupation or profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the personal qualifications set forth in the regulatory statute to perform prescribed occupational tasks;

(8) "Inspection" the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' activities are being carried out in a fashion consistent with the requisite level of cleanliness necessary to protect the general welfare;

(9) "Lawful occupation", a course of conduct, pursuit, or profession that includes the sale of goods or services that are not themselves illegal to sell irrespective of whether the individual selling them is subject to an occupational regulation;

(10) "Least restrictive type of occupational regulations", in order from least to most restrictive:

(a) Market competition;

(b) A provision for private civil action to remedy consumer harm;

(c) Criminal sanction;

(d) Regulation of the business activity providing the service rather than the practitioner;

(e) Inspection;

(f) Bonding or insurance;

(g) Registration;

(h) Certification;

(i) Occupational license;

(11) "Legislative committees of reference", the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate occupations, or professions not previously regulated;

(12) "Occupational license", a nontransferable authorization in law for an individual to perform a lawful occupation for compensation based on meeting personal qualifications established by a legislative body. It shall be prohibited for an individual who does not possess an occupational license to perform the occupation for compensation;

(13) "Occupational regulation", a statute, ordinance, rule, practice, policy, or other law requiring an individual to possess certain personal qualifications to work in a lawful occupation;

(14) "Personal qualifications", criteria related to an individual's personal background including completion of an approved educational program, satisfactory performance on an examination, work experience, criminal history, moral standing, and completion of continuing education;

(15) "Practitioner", an individual who has achieved knowledge and skill by practice and is actively engaged in a specified occupation or profession;

(16) "Public member" an individual who is not currently, and has never been in the past, a member or spouse of a member of the occupation or profession being regulated or an individual who does not currently have and has never in the past had a material financial interest in either the rendering of the occupation or professional service being regulated or an activity directly related to the occupation or profession being regulated;

(17) "Registration", a requirement established by the legislature in which a person:

(a) Submits notification to a state agency; and

(b) May use "registered" as a designated title.

Notification may include the person's name and address, the person's agent for service of process, the location of the activity to be performed, and a description of the service the person provides. Registration may include a requirement to post a bond but does not include education or experience requirements. Nonregistered persons may not perform the occupation for compensation or use “registered” as a designated title. The term registration shall not be synonymous with an occupational license and does not refer to or prohibit the use of private registration;

(18) "Regulatory entity", any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state;

(19) "State agency", every state office, department, board, commission, regulatory entity, and agency of the state, and, if provided by law, programs and activities involving less than the full responsibility of a state agency;

(20) "Substantial burden", a requirement in an occupational regulation that imposes significant difficulty or cost on an individual seeking to enter into or continue in a lawful occupation and is more than an incidental burden.

[2.] 3. After January 1, 2016, applicant groups shall explain each of the following factors to the extent requested by the legislative committees of reference:

(1) A definition of the problem and why regulation is necessary including, but not limited to:

(a) The description and quantification of the actual harm to the general public due to the fact that the occupation or profession is not regulated;

(b) The extent to which the actual harm could be avoided;

(c) A description of how consumers will benefit in the future from the proposed type of regulation; and

(d) The extent of autonomy a practitioner has, as indicated by:

a. The extent to which the occupation or profession calls for independent judgment and the extent of skill or experience required in making the independent judgment; and

b. The extent to which practitioners are supervised;

(2) The efforts made to address the actual harm caused:

(a) Voluntary efforts, if any, by members of the occupation or profession to:

a. Establish a code of ethics; or

b. Help resolve disputes between practitioners and consumers; and

(b) Recourse to and the extent of use of applicable law and whether it could be strengthened to control the problem;

(3) The alternatives considered including, but not limited to:

(a) Increased civil or criminal sanctions;

(b) Regulation of businesses rather than practitioners;

(c) Regulation of the service or training program rather than the individual practitioners;

(d) Inspections;

(e) Bonding or insurance;

(f) Registration of all practitioners;

(g) Certification of all practitioners;

(h) Other alternatives;

(i) Why the use of the alternatives specified in this subsection would not be adequate to protect the general welfare; and

(j) Why licensing would serve to protect the general welfare;

(4) The benefit to the public if regulation is granted;

(5) The extent to which the incidences of specific problems present in the unregulated occupation or profession can reasonably be expected to be reduced by proposed regulation;

(6) Whether the public can identify qualified practitioners;

(7) The extent to which the public can be confident that qualified practitioners are competent:

(a) Whether the proposed regulatory entity would be a board composed of members of the profession and public members, a state agency, or both, and, if appropriate, their respective responsibilities in administering the system of inspections, bonding, insurance, registration, certification, or licensure, including the composition of the board and the number of public members, if any; the powers and duties of the board or state agency regarding examinations and for cause revocation, suspension, and nonrenewal of registrations, certificates, or licenses; the promulgation of rules and canons of ethics; the conduct of inspections; the receipt of complaints and disciplinary action taken against practitioners; and how fees would be levied and collected to cover the expenses of administering and operating the regulatory system;

(b) If there is a grandfather clause, how consumers will be protected from the harm caused by current practitioners that is the basis for advocating for the enactment of the proposed regulation;

(c) If there is a grandfather clause, if current practitioners will be required to meet the prerequisite qualifications established by the regulatory entity at a later date and if not, why not;

(d) Whether the regulatory entity would be authorized to enter into reciprocity agreements with other jurisdictions;

(e) The nature and duration of any training including, but not limited to, whether the training includes a substantial amount of supervised field experience; whether training programs exist in this state; if there will be an experience requirement; whether the experience shall be acquired under a registered, certified, or licensed practitioner; whether there are alternative routes of entry or methods of meeting the prerequisite qualifications; whether all applicants will be required to pass an examination; and, if an examination is required, by whom it will be developed and how the costs of development will be met; and

(f) What additional training programs are anticipated to be necessary to assure training is accessible statewide; the anticipated time required to establish the additional training programs; the types of institutions capable of providing the training; a description of how training programs will meet the needs of the expected workforce, including reentry workers, minorities, placebound students, and others;

(8) Assurance of the public that practitioners have maintained their competence:

(a) Whether the registration, certification, or licensure will carry an expiration date; and

(b) Whether renewal will be based only upon payment of a fee, or whether renewal will involve reexamination, peer review, or other enforcement;

(9) The extent to which regulation might harm the public;

(10) The extent to which regulation will restrict entry into the occupation or profession:

(a) Whether the proposed personal qualifications are more restrictive than necessary to insure safe and effective performance;

(b) How the proposed personal qualifications compare to other regulations in the state which may involve greater risks to the general welfare; and

(c) The number of other states that regulate the same occupation or profession and how the proposed personal qualifications compare to required personal qualifications in other states that regulate the same occupation or profession;

(11) Whether there are similar professions to that of the applicant group which shall be included in or portions of the applicant group which shall be excluded from the proposed legislation;

(12) The maintenance of personal qualifications;

(13) Whether effective quality assurance standards exist in the occupation or profession, such as legal requirements associated with specific programs that define or enforce professional standards, or a code of ethics;

(14) How the proposed legislation will assure:

(a) The extent to which a code of ethics, if any, will be adopted; and

(b) Grounds for suspension or revocation of registration, certification, or licensure;

(15) A description of the group proposed for regulation, including a list of associations, organizations, and other groups representing the practitioners in this state, an estimate of the number of practitioners in each group, and whether the groups represent different levels of practice; and

(16) The expected costs of regulation including, but not limited to:

(a) The impact registration, certification, or licensure will have on the costs of the services to the public;

(b) The cost to the state and to the general public of implementing the proposed legislation; and

(c) The cost to the state and the members of the group proposed for regulation for the required education, including projected tuition and expenses and expected increases in training programs, staffing, and enrollments at state training institutions.

4. Applicant groups shall submit a written report explaining the factors enumerated in subsection 3 of this section to the legislative committees of reference.

5. A legislative proposal which contains a continuing education requirement shall be accompanied by a detailed explanation of how such requirement could be effective for the profession addressed in the legislation.

6. Nothing in this section shall be construed to create a right of action against a private party or to require a private party to do business with an individual who is not licensed, certified or registered with the government or to create a right of action against the state, county, municipal, or other level of government in the state.

7. There is hereby established a "Division of Professional Registration" assigned to the department of insurance, financial institutions and professional registration as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

[3.] 8. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board's records current. Each board or commission shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

[4.] 9. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. "Issuance and renewal of licenses and certificates" means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant's qualifications for licensure or certification, or the subsequent review of licensee's or certificate holder's qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

[5.] 10. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor's office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board's funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

[6.] 11. For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the purpose defined in subsection [5] 10 of this section. The fund shall consist of moneys deposited into it from each board's fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection [5] 10 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

[7.] 12. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

[8.] 13. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that



person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

[9.] **14.** Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

[10.] **15.** A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

[11.] **16.** (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of insurance, financial institutions and professional registration. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

[12.] **17.** All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

[13.] **18.** Wherever the laws, rules, or regulations of this state make reference to the "division of professional registration of the department of economic development", such references shall be deemed to refer to the division of professional registration."; and

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

*House Committee Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section 324.023, Line 2, by inserting immediately after the word "**chapters**" the following:

"**214, 317, 324, 326, 327, 328, 329**"; and

Further amend said substitute, said page, said section, Line 3, by removing the phrase "**and 345**" and inserting in lieu thereof the following:

"**345, and 346**"; and

Further amend said substitute, said page, said section, Line 9, by inserting immediately after the word "**chapters**" the following:

"**214, 317, 324, 326, 327, 328, 329**"; and

Further amend said substitute, said page, said section, Line 10, by removing the phrase "**and 345**" and inserting in lieu thereof the following:

"**345, and 346**"; and

Further amend said substitute, Page 2, said section, Line 16, by inserting immediately after the word "**chapters**" the following:

"**214, 317, 324, 326, 327, 328, 329**"; and

Further amend said substitute, said page, said section, Line 17, by removing the phrase "**and 345**" and inserting in lieu thereof the following:

"**345, and 346**"; and

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

*House Committee Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 14, Section 345.065, Line 101, by inserting immediately after said line the following:

**"345.077. All speech-language pathology assistants shall provide and maintain at all times such employment information as the board deems necessary including, but not limited to, the name, address, telephone number, and place of business of the assistant's supervising speech-language pathologist.";** and

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

*House Committee Amendment No 4*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 16, Section 345.080, Line 70, by inserting immediately after said line the following:

"595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; or

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the children's division personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337; [or]

(4) Professional counselor licensed pursuant to chapter 337; or

**(5) Board certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner.**

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department."; and

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

*House Committee Amendment No. 5*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section A, Line 4, by inserting immediately after said line the following:

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

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

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

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

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

Further amend said Substitute, Page 2, Section 324.023, Line 17, by inserting immediately after said line the following:

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

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

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

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

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

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

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

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

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

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

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

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

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

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

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

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

(1) Geographic areas to be covered;

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

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

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

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

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

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

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

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

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

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating

physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

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

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

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

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

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

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 registered 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, **and Schedule II - hydrocodone**; 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, **or Schedule II - hydrocodone** for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance **and Schedule II - hydrocodone** 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, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater 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 when 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, **or Schedule II - hydrocodone**.

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.

334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017, **and may have restricted authority in Schedule II**, when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. **Prescriptions for Schedule II medications prescribed by a physician assistant with authority to prescribe delegated in a supervision agreement are restricted to only those medications containing hydrocodone.** Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances **and Schedule II - hydrocodone prescriptions** shall be limited to a five-day supply without refill. Physician assistants who are



authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

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

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration."; and

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

*House Committee Amendment No. 6*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 2, Section 324.023, Line 17, by inserting immediately after said line the following:

"214.208. 1. Every person or association which owns any cemetery in which dead human remains are buried or otherwise interred is authorized, at the cemetery owner's expense, to disinter individual remains and reinter or rebury the remains at another location within the cemetery in order to correct an error made in the original burial or interment of the remains.

2. Every person or association which owns any cemetery in which dead human remains are buried or otherwise interred is authorized to disinter individual remains and either to reinter or rebury the remains at another location within the cemetery or to deliver the remains to a carrier for transportation out of the cemetery, all pursuant to written instructions signed and acknowledged by **the next-of-kin at the time of death of the deceased person as set out in section 194.119. If the next-of-kin at the time of death as set out in section 194.119 is no longer living**, a majority of the following adult members of the deceased person's family who are then known and living: surviving spouse, children, and parents **may authorize the disinterment**. If none of the above family members survive the deceased, then the majority of the grandchildren, brothers and sisters of whole and half blood may authorize the disinterment, relocation or delivery of the remains of the deceased. The costs of such disinterment, relocation or delivery shall be paid by the deceased person's family.

3. Every person or association which owns any cemetery in which dead human remains are buried or otherwise interred is authorized to disinter individual remains and either to reinter or rebury the remains at another location within the cemetery or to deliver the remains to a carrier for transportation out of the cemetery, all pursuant to a final order issued by the circuit court for the county in which the cemetery is located. The court may issue the order, in the court's discretion and upon such notice and hearing as the court shall deem appropriate, for good cause shown, including without limitation, the best interests of public health or safety, the best interests of the deceased person's family, or the reasonable requirements of the cemetery to facilitate the operation, maintenance, improvement or enlargement of the cemetery. The

costs of such disinterment, relocation and delivery, and the related court proceedings, shall be paid by the persons so ordered by the court.

4. The cemetery owner, **cemetery operator, funeral director, funeral establishment, or any other person or entity involved in the process** shall not be liable to the deceased person's family or to any third party for a disinterment, relocation or delivery of deceased human remains made pursuant to this section."; and

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

*House Committee Amendment No. 7*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"193.015. As used in sections 193.005 to 193.325, unless the context clearly indicates otherwise, the following terms shall mean:

(1) **"Advanced practice registered nurse", a person licensed to practice as an advanced practice registered nurse under chapter 335;**

(2) **"Assistant physician", as such term is defined in section 334.036;**

(3) "Dead body", a human body or such parts of such human body from the condition of which it reasonably may be concluded that death recently occurred;

[(2)] (4) "Department", the department of health and senior services;

[(3)] (5) "Final disposition", the burial, interment, cremation, removal from the state, or other authorized disposition of a dead body or fetus;

[(4)] (6) "Institution", any establishment, public or private, which provides inpatient or outpatient medical, surgical, or diagnostic care or treatment or nursing, custodian, or domiciliary care, or to which persons are committed by law;

[(5)] (7) "Live birth", the complete expulsion or extraction from its mother of a child, irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached;

[(6)] (8) "Physician", a person authorized or licensed to practice medicine or osteopathy pursuant to chapter 334;

[(7)] (9) **"Physician assistant", a person licensed to practice as a physician assistant under chapter 334;**

(10) "Spontaneous fetal death", a noninduced death prior to the complete expulsion or extraction from its mother of a fetus, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles;

[(8)] (11) "State registrar", state registrar of vital statistics of the state of Missouri;

[(9)] (12) "System of vital statistics", the registration, collection, preservation, amendment and certification of vital records; the collection of other reports required by sections 193.005 to 193.325 and section 194.060; and activities related thereto including the tabulation, analysis and publication of vital statistics;

[(10)] (13) "Vital records", certificates or reports of birth, death, marriage, dissolution of marriage and data related thereto;

[(11)] (14) "Vital statistics", the data derived from certificates and reports of birth, death, spontaneous fetal death, marriage, dissolution of marriage and related reports.

193.145. 1. A certificate of death for each death which occurs in this state shall be filed with the local registrar, or as otherwise directed by the state registrar, within five days after death and shall be registered if such certificate has been completed and filed pursuant to this section. All data providers in the death registration process, including, but not limited to, the state registrar, local registrars, the state medical examiner, county medical examiners, coroners, funeral directors or persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, **physician assistants, assistant physicians, advanced practice registered nurses**, and the chief medical officers of licensed health care facilities, and other public or private institutions providing medical care, treatment, or confinement to persons, shall be required to use and utilize any electronic death registration system required and adopted under subsection 1 of section 193.265 within six months of the system being certified by the director of the department of health and senior services,

or the director's designee, to be operational and available to all data providers in the death registration process. However, should the person or entity that certifies the cause of death not be part of, or does not use, the electronic death registration system, the funeral director or person acting as such may enter the required personal data into the electronic death registration system and then complete the filing by presenting the signed cause of death certification to the local registrar, in which case the local registrar shall issue death certificates as set out in subsection 2 of section 193.265. Nothing in this section shall prevent the state registrar from adopting pilot programs or voluntary electronic death registration programs until such time as the system can be certified; however, no such pilot or voluntary electronic death registration program shall prevent the filing of a death certificate with the local registrar or the ability to obtain certified copies of death certificates under subsection 2 of section 193.265 until six months after such certification that the system is operational.

2. If the place of death is unknown but the dead body is found in this state, the certificate of death shall be completed and filed pursuant to the provisions of this section. The place where the body is found shall be shown as the place of death. The date of death shall be the date on which the remains were found.

3. When death occurs in a moving conveyance in the United States and the body is first removed from the conveyance in this state, the death shall be registered in this state and the place where the body is first removed shall be considered the place of death. When a death occurs on a moving conveyance while in international waters or air space or in a foreign country or its air space and the body is first removed from the conveyance in this state, the death shall be registered in this state but the certificate shall show the actual place of death if such place may be determined.

4. The funeral director or person in charge of final disposition of the dead body shall file the certificate of death. The funeral director or person in charge of the final disposition of the dead body shall obtain or verify **and enter into the electronic death registration system:**

(1) The personal data from the next of kin or the best qualified person or source available; [and]

(2) The medical certification from the person responsible for such certification **if designated to do so under subsection 5 of this section; and**

**(3) Any other information or data that may be required to be placed on a death certificate or entered into the electronic death certificate system including, but not limited to, the name and license number of the embalmer.**

5. The medical certification shall be completed, attested to its accuracy either by signature or an electronic process approved by the department, and returned to the funeral director or person in charge of final disposition within seventy-two hours after death by the physician, **physician assistant, assistant physician, or advanced practice registered nurse who participated in the patient's care and in consultation with the attending physician who was in charge of the patient's care for the illness or condition which resulted in death.** In the absence of the physician, **physician assistant, assistant physician, or advanced practice registered nurse** or with the physician's, **physician assistant's, assistant physician's, or advanced practice registered nurse's** approval the certificate may be completed and attested to its accuracy either by signature or an approved electronic process by the physician's associate physician, the chief medical officer of the institution in which death occurred, or the [physician] **individual** who performed an autopsy upon the decedent, provided such individual has access to the medical history of the case, views the deceased at or after death and death is due to natural causes. **The person authorized to complete the medical certification may, in writing, designate any other person to enter the medical certification information into the electronic death registration system if the person authorized to complete the medical certification has physically or by electronic process signed a statement stating the cause of death. Any persons completing the medical certification or entering data into the electronic death registration system shall be immune from civil liability for such certificate completion, data entry, or determination of the cause of death, absent gross negligence or willful misconduct.** The state registrar may approve alternate methods of obtaining and processing the medical certification and filing the death certificate. The Social Security number of any individual who has died shall be placed in the records relating to the death and recorded on the death certificate.

6. When death occurs from natural causes more than thirty-six hours after the decedent was last treated by a physician, **physician assistant, assistant physician, or advanced practice registered nurse**, the case shall be referred to the county medical examiner or coroner or physician or local registrar for investigation to determine and certify the cause of death. If the death is determined to be of a natural cause, the medical examiner or coroner or local registrar shall refer the certificate of death to the attending physician, **physician assistant, assistant physician, or advanced practice registered nurse** for such [physician's] certification. If the attending physician, **physician assistant, assistant physician, or advanced practice registered nurse** refuses or is otherwise unavailable, the medical examiner or coroner or local registrar shall attest to the accuracy of the certificate of death either by signature or an approved electronic process within thirty-six hours.

7. If the circumstances suggest that the death was caused by other than natural causes, the medical examiner or coroner shall determine the cause of death and shall complete and attest to the accuracy either by signature or an approved electronic process the medical certification within seventy-two hours after taking charge of the case.

8. If the cause of death cannot be determined within seventy-two hours after death, the attending medical examiner or coroner [or] , attending physician [or] , **physician assistant, assistant physician, advanced practice registered nurse, or** local registrar shall give the funeral director, or person in charge of final disposition of the dead body, notice of the reason for the delay, and final disposition of the body shall not be made until authorized by the medical examiner or coroner, attending physician, **physician assistant, assistant physician, advanced practice registered nurse,** or local registrar.

9. When a death is presumed to have occurred within this state but the body cannot be located, a death certificate may be prepared by the state registrar upon receipt of an order of a court of competent jurisdiction which shall include the finding of facts required to complete the death certificate. Such a death certificate shall be marked "Presumptive", show on its face the date of registration, and identify the court and the date of decree."; and

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

*House Committee Amendment No. 8*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 2, Section 324.023, Line 17, by inserting immediately after said line the following:

"334.040. 1. Except as provided in section 334.260, all persons desiring to practice as physicians and surgeons in this state shall be examined as to their fitness to engage in such practice by the board. All persons applying for examination shall file a completed application with the board upon forms furnished by the board.

2. The examination shall be sufficient to test the applicant's fitness to practice as a physician and surgeon. The examination shall be conducted in such a manner as to conceal the identity of the applicant until all examinations have been scored. In all such examinations an average score of not less than seventy-five percent is required to pass; provided, however, that the board may require applicants to take the Federation Licensing Examination, also known as FLEX, or the United States Medical Licensing Examination (USMLE). If the FLEX examination is required, a weighted average score of no less than seventy-five is required to pass. Scores from one test administration of the FLEX shall not be combined or averaged with scores from other test administrations to achieve a passing score. The passing score of the United States Medical Licensing Examination shall be determined by the board through rule and regulation. Applicants graduating from a medical or osteopathic college, as [defined] **described** in section 334.031 prior to January 1, 1994, shall provide proof of successful completion of the FLEX, USMLE, an exam administered by the National Board of Osteopathic Medical Examiners (NBOME), a state board examination approved by the board, compliance with subsection 2 of section 334.031, or compliance with 20 CSR 2150-2.005. Applicants graduating from a medical or osteopathic college, as [defined] **described** in section 334.031 on or after January 1, 1994, must provide proof of completion of the USMLE or an exam administered by NBOME or provide proof of compliance with subsection 2 of section 334.031. [The board shall not issue a permanent license as a physician and surgeon or allow the Missouri state board examination to be administered to any applicant who has failed to achieve a passing score within three attempts on licensing examinations administered in one or more states or territories of the United States, the District of Columbia or Canada. The steps one, two and three of the United States Medical Licensing Examination shall be taken within a seven-year period with no more than three attempts on any step of the examination; however, the board may grant an extension of the seven-year period if the applicant has obtained a MD/PhD degree in a program accredited by the Liaison Committee on Medical Education (LCME) and a regional university accrediting body or a DO/PhD degree accredited by the American Osteopathic Association and a regional university accrediting body.] The board may waive the provisions of this section if the applicant is licensed to practice as a physician and surgeon in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States or the District of Columbia and no license issued to the applicant has been disciplined in any state or territory of the United States or the District of Columbia and the applicant is certified in the applicant's area of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule.

3. If the board waives the provisions of this section, then the license issued to the applicant may be limited or restricted to the applicant's board specialty. The board shall not be permitted to favor any particular school or system of healing.

4. If an applicant has not actively engaged in the practice of clinical medicine or held a teaching or faculty position in a medical or osteopathic school approved by the American Medical Association, the Liaison Committee on Medical Education, or the American Osteopathic Association for any two years in the three-year period immediately preceding the filing of his or her application for licensure, the board may require successful completion of another examination, continuing medical education, or further training before issuing a permanent license. The board shall adopt rules to prescribe the form and manner of such reexamination, continuing medical education, and training.

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

(1) **“Continuous medical education”, continued postgraduate medical education intended to provide medical professionals with knowledge of new developments in their field;**

(2) **“Maintenance of certification”, any process requiring periodic recertification examinations to maintain specialty medical board certification;**

(3) **“Maintenance of licensure”, the Federation of State Medical Boards’ proprietary framework for physician license renewal including additional periodic testing other than continuous medical education;**

(4) **“Specialty medical board certification”, certification by a board that specializes in one particular area of medicine and typically requires additional and more strenuous exams than state board of medicine requirements to practice medicine.**

**2. The state shall not require any form of maintenance of licensure as a condition of physician licensure including requiring any form of maintenance of licensure tied to maintenance of certification. Current requirements including continuous medical education shall suffice to demonstrate professional competency.**

**3. The state shall not require any form of specialty medical board certification or any maintenance of certification to practice medicine within the state. There shall be no discrimination by the state board of registration for the healing arts or any other state agency against physicians who do not maintain specialty medical board certification including recertification.”; and**

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

*House Committee Amendment No. 9*

AMEND Senate Committee Substitute for Senate Bill No. 107, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, **physical therapists licensed pursuant to chapter 334**, and optometrists licensed pursuant to chapter 336;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

(8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;

(9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. 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.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair

accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every four years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a four-year period.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing

established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, **or the advisory commission for physical therapists established in section 334.625, with respect to physician's statements signed by licensed physical therapists**, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the four-year certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."; and

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

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 146**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.



Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 499**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

**Committee on Public Safety and Emergency Preparedness**, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 178**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

**Committee on Telecommunications**, Chairman Korman reporting:

Mr. Speaker: Your Committee on Telecommunications, to which was referred **HB 756**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3, and House Committee Amendment No. 4**, and pursuant to Rule 27(14) be referred to the Select Committee on Utilities.

*House Committee Amendment No. 1*

AMEND House Bill No. 756, Page 1, Section 92.077, Lines 1 to 35, by deleting all of said lines and inserting in lieu thereof the following:

"92.077. 1. Sections 92.077 to 92.086 shall be known and may be cited as the "Prepaid Wireless Telecommunications Business License Tax Sourcing Act".

2. As used in sections [92.074] 92.077 to [92.095] 92.086, unless the context clearly requires otherwise, the following terms mean:

(1) "Business license tax", any tax, including any fee, charge, or assessment in the nature of a tax, assessed by a municipality on a telecommunications company for the privilege of doing business within the borders of such municipality, and specifically includes any tax assessed on a telecommunications company by a municipality under section 66.300 and section 80.090, **section 92.045**, section 92.073, section 94.110, 94.270, or 94.360, or under authority granted in its charter, as well as an occupation license tax, gross receipts tax, franchise tax, or similar tax, but shall not include:

(a) Any state or municipal sales tax imposed under sections 144.010 to 144.525; or  
(b) Any municipal right-of-way usage fee imposed under the authority of a municipality's police powers under Section 253(c) of the Federal Telecommunications Act of 1996 (**47 U.S.C. Section 253(c)**), **as amended**, or under sections 67.1830 to 67.1846; or

(c) Any tax or fee levied for emergency services under section 190.292, 190.305, 190.325, 190.335, or 190.430, or any tax authorized by the general assembly after August 28, 2005, for emergency services;

(d) Any flat tax duly imposed [on or before August 28, 2005];

(2) ["Director", the director of the department of revenue;

(3)] "Municipal", of or relating to a municipality;

[(4)] (3) "Municipality", any city, county, town, or village in Missouri entitled by authority of section 66.300, section 80.090, **section 92.045**, section 92.073, section 94.110, 94.270, or 94.360, or under authority granted in its charter to assess a business license tax on telecommunications companies;

(4) "Prepaid wireless telecommunications service", a wireless telecommunications service that is paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount or expiration of time;

(5) "Retail sale", the sale of wireless telecommunications service by a telecommunications company for use or consumption and not for resale;

(6) "Telecommunications company", any company doing business in this state that provides wireless telecommunications service, whether a facilities-based carrier or reseller. The term "telecommunications company" shall include a third-party retailer of a provider's wireless telecommunications service. The term "telephone company", as used in sections 94.110, 94.270, and 94.360, and in a business license tax, shall include a telecommunications company;

[(6)] (7) "Telecommunications service", the same meaning as such term is defined in subdivision (14) of subsection 1 of section 144.010[. The term telephone company, as used in sections 94.110, 94.270, and 94.360, shall have the same meaning as telecommunications company as defined in this section];

(8) "Wireless telecommunications service", telecommunications service which is commercial mobile radio service, as such term is defined in 47 CFR 20.3, as amended, or a service provided as an adjunct to a commercial mobile radio service. The term "exchange telephone service" as used in section 66.300 shall include wireless telecommunications service. The terms "telecommunications service", "telephone service", "exchange telephone service", "local exchange telephone service" or similar terms in a business license tax shall include wireless telecommunications service."; and

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

*House Committee Amendment No. 2*

AMEND House Bill No. 756, Page 2, Section 92.080, Lines 1 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"92.080. Notwithstanding any provisions of this chapter or chapter 66, 80, or 94, or the provisions of any municipal charter, after August 28, [2005] **2015**, no municipality [may] **shall** impose any business license tax[, tower tax, or antennae tax] on **the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service** except as specified in sections [92.074] **92.077 to [92.095] 92.086**. **These sections shall not apply to gross receipts derived from the business of providing other wireless telecommunications service.**"; and

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

*House Committee Amendment No. 3*

AMEND House Bill No. 756, Page 2, Section 92.083, Lines 1 to 26, by deleting all of said lines and inserting in lieu thereof the following:

"92.083. 1. [On or after July 1, 2006, if any city, county, village, or town has imposed a business license tax on a telecommunications company, as authorized in this chapter, or chapter 66, 80, or 94, or under the authority granted in its charter, the terms used in such ordinance shall be construed, for the purposes of sections 92.074 to 92.095, to have the meanings set forth in this section, regardless of any contrary definition in the ordinance:

(1) "Gross receipts" means all receipts from the retail sale of telecommunications service taxable under section 144.020 and from any retail customer now or hereafter exempt from the state sales tax;

(2) "Telephone service", "telecommunications service", "telecommunications", "local exchange service", "local exchange telephone transmission service", "exchange telephone service" or similar terms means telecommunications service as defined in section 92.077.

2.] Nothing in this section shall have the effect of repealing any existing ordinance imposing a business license tax on a telecommunications company; provided that a city with an ordinance in effect prior to August 28, [2005] **2015**, complies with the provisions of [section 92.086] **sections 92.077 to 92.086**.

[3.] 2. Any business license tax imposed on **the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service** after [July 1, 2006] **August 28, 2015**, shall be imposed **only on the gross receipts from retail [sale of telecommunications service] sales.**"; and

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

*House Committee Amendment No. 4*

AMEND House Bill No. 756, Page 3, Section 92.086, Lines 128 to 157, by deleting all of said lines and inserting in lieu thereof the following:

"13. Any telecommunications company is authorized to pass through to its retail customers all or part of the business license tax.

14.] The provisions of [subsection 5 of section 144.190 and] subdivision (3) of subsection 12 of section 32.087 shall apply to [the tax imposed under sections 92.074 to 92.095.

15. Unless specifically stated otherwise in sections 92.074 to 92.095, taxpayer remedies, enforcement mechanisms, tax refunds, tax protests, assessments, and all other procedures shall be the same as those provided in chapter 144.

16. 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, 2005, shall be invalid and void] **any business license tax imposed on the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service, provided that, with respect to prepaid wireless telecommunications service not subject to such provisions, they shall be deemed derived from engaging in business in a municipality and subject to the municipality's business license tax in accordance with the following hierarchy:**

(1) **By the municipality within whose limits the end user's residence or, for nonresidential end users, the principal place of operations lies; or**

(2) **If the end user's residence or principal place of operations is unknown to the telecommunications company, by the municipality within whose limits the end user's billing address lies; or**

(3) **If the end user's billing address is unknown to the telecommunications company, by the municipality within whose limits the store in which the sale takes place lies; or**

(4) **If the place of sale is unknown to the telecommunications company, or if the end user's address cannot be verified, then the total of all such sales with respect to each area code shall be attributed to municipalities in proportion to the telecommunications company's total sales of prepaid wireless telecommunications service within the area code.**

2. (1) **A telecommunications company deriving gross receipts from selling prepaid wireless telecommunications service to a retail customer shall be responsible for obtaining and maintaining information to determine the taxing municipality and remitting the business license tax to the municipality.**

(2) **If the telecommunications company's reliance on the information provided is in good faith, a municipality shall not hold the telecommunications company liable for any additional taxes, charges, or fees based on a different determination.**"; and

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

**Committee on Trade and Tourism**, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Trade and Tourism, to which was referred **SCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Trade and Tourism, to which was referred **SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Trade and Tourism, to which was referred **SB 276**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Trade and Tourism, to which was referred **SB 277**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SCS SB 174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

*House Committee Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 174, Page 1, In the Title, Lines 2-3, by deleting the words, "the Missouri Achieving a Better Life Experience program" and inserting in lieu thereof the word, "taxation"; and

Further amend said bill, Page 8, Section 166.645, Line 6, by inserting after all of said section and line the following:

"205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, **or any county of the third classification with 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 four thousand five hundred but fewer than five thousand inhabitants as the county seat** may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. 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 after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall

be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district."; and

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

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 336**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

*House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 336, Page 1, Page 1, In the Title, Line 3, by deleting "income tax withholding on tips" and inserting in lieu thereof "employee compensation"; and

Further amend said bill, Section 143.191, Page 3, Line 71, by inserting the following after all of said line:

"290.230. 1. Not less than the prevailing hourly rate of wages for work of a similar character in the locality in which the work is performed, and not less than the prevailing hourly rate of wages for legal holiday and overtime work, shall be paid to all workmen employed by or on behalf of any public body engaged in the construction of public works, exclusive of maintenance work. Only such workmen as are directly employed by contractors or subcontractors in actual construction work on the site of the building or construction job shall be deemed to be employed upon public works. Any such workman who agrees in writing to volunteer his or her labor without pay shall not be deemed to be employed upon public works, and shall not be entitled to the prevailing hourly rate of wages. For the purposes of this section, the term "workman who agrees in writing to volunteer his or her labor without pay" shall mean a workman who

volunteers his or her labor without any promise of benefit or remuneration for such voluntary activity, and who is not a prisoner in any jail or prison facility and who is not performing community service pursuant to disposition of a criminal case against him, and is not otherwise employed for compensation at any time in the construction or maintenance work on the same public works for which the workman is a volunteer. Under no circumstances may an employer force, compel or otherwise intimidate an employee into performing work otherwise paid by a prevailing wage as a volunteer.

2. When the hauling of materials or equipment includes some phase of construction other than the mere transportation to the site of the construction, workmen engaged in this dual capacity shall be deemed employed directly on public works.

**3. Any public body may opt out of the provisions of this section for the construction of public works for which the contract awarded is in the amount of seven hundred fifty thousand dollars or less.";** and

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

*House Committee Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 336, Page 1, In the Title, Line 3, by deleting "income tax withholding on tips" and inserting in lieu thereof "employee compensation"; and

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

**"105.504. 1. No sum shall be withheld from the earnings of any public employee for the purpose of paying any portion of dues, agency shop fees, or any other fees paid by public employee members of a public labor organization, public employees who are nonmembers except upon the annual written authorization of the public employee member, or the public employees who are nonmembers.**

**2. No public labor organization shall use or obtain any portion of dues, agency shop fees, or any other fees paid by public employee members of the labor organization, or public employees who are nonmembers to make contributions or expenditures as defined in section 130.011, except on the written authorization of such member or nonmember received within the previous twelve months.**

**3. Individuals who do not authorize contributions or expenditures under subsection 2 of this section shall not have their dues, agency shop fees, or other fees increased in lieu of contributions or expenditures.**

**4. The requirements of this section shall not be waived by the member or nonmember, and waiver of the requirements shall not be made a condition of employment or continued employment.**

**5. Signing or refraining from signing the authorizations referred to in subsections 1 and 2 of this section shall not be made a condition of employment or continued employment.**

**6. This section shall not apply to first responders or any labor organization that represents such an individual.**

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

**(1) "Agency shop", an arrangement that requires an employee, as a condition of continued employment, either to join the recognized employee organization or to pay the organization a service fee;**

**(2) "First responder", any person trained and authorized by law or rule to render emergency medical assistance or treatment which shall include, but not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses, and physicians;**

**(3) "Public labor organization", any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or dealing with public employers concerning grievances, terms, conditions of employment, or other mutual aid or protection.";** and

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

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

Mr. Speaker: Your Select Committee on Agriculture, to which was referred **HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Agriculture, to which was referred **HB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SCR 21, 19, & 23** entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

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 adopted **SCR 24**.

In which the concurrence of the House is respectfully requested.

### **CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 104**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 104, with House Amendments Nos. 1, 2 & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 104, as amended;
2. That the Senate recede from its position on Senate Bill No. 104;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 104, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus  
/s/ Jay Wasson  
/s/ Dan Hegeman

FOR THE HOUSE:

/s/ Tony Dugger  
/s/ Sue Entlicher  
/s/ Justin Alferman  
/s/ Pat Conway

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 152**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 152;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152 be Third Read and Finally Passed.

FOR THE SENATE

/s/ Wayne Wallingford  
/s/ Doug Libla  
/s/ Gary Romine

FOR THE HOUSE

/s/ Rocky Miller  
/s/ Robert Ross  
/s/ T.J. Berry  
/s/ Clem Smith  
/s/ Mary Nichols

**REFERRAL OF CONFERENCE COMMITTEE REPORTS**

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

**CCR HCS SB 104** - Fiscal Review  
**CCR HCS SCS SB 152** - Fiscal Review

**RECESS**

Representative Richardson moved that the House stand in recess until such time that the Conference Committee Reports on House Bill 2 through House Bill 13 are distributed or until 7:00 a.m., Thursday, April 23, 2015, whichever comes sooner, and then stand adjourned until 10:00 a.m., Thursday, April 23, 2015.



**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.

1. That the House recede from its position on House Committee Substitute for House Bill No. 2.

That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Kurt Bahr  
/s/ Genise Montecillo  
/s/ Gail Mccann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ David Pearce  
/s/ Ryan Silvey  
/s/ Shalonn “Kiki” Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.

2. That the House recede from its position on House Committee Substitute for House Bill No. 3.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Donna Lichtenegger  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ David Pearce  
/s/ Dan Brown  
/s/ Shalonn "Kiki" Curls

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.

2. That the House recede from its position on House Committee Substitute for House Bill No. 4.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Lincoln Hough  
/s/ Jeremy Lafaver  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Robert Ross  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Shalonn “Kiki” Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 6**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Craig Redmon  
/s/ Gail Mccann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Sen. Mike Parson  
/s/ Dan Brown  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Lincoln Hough  
/s/ Stephen Webber  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Mike Kehoe  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Kathie Conway  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn “Kiki” Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Kathie Conway

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Marsha Haefner

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Marsha Haefner

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Mike Kehoe  
/s/ Ryan Silvey  
/s/ Shalonn “Kiki” Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Robert Ross  
/s/ Jeremy LaFaver  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 13**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Tom Flanigan  
/s/ Scott Fitzpatrick  
/s/ Robert Ross  
/s/ Jeremy LaFaver  
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer  
/s/ Dan Brown  
/s/ Ryan Silvey  
/s/ Shalonn "Kiki" Curls  
/s/ Gina Walsh



## **REFERRAL OF CONFERENCE COMMITTEE REPORTS**

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

**CCR SCS HCS HB 2** - Fiscal Review  
**CCR SCS HCS HB 3** - Fiscal Review  
**CCR SCS HCS HB 4** - Fiscal Review  
**CCR SCS HCS HB 5** - Fiscal Review  
**CCR SCS HCS HB 6** - Fiscal Review  
**CCR SCS HCS HB 7** - Fiscal Review  
**CCR SCS HCS HB 8** - Fiscal Review  
**CCR SCS HCS HB 9** - Fiscal Review  
**CCR SCS HCS HB 10** - Fiscal Review  
**CCR SCS HCS HB 11** - Fiscal Review  
**CCR SS SCS HCS HB 12** - Fiscal Review  
**CCR SS SCS HCS HB 13** - Fiscal Review

## **ADJOURNMENT**

Pursuant to the motion of Representative Richardson, the House adjourned until 10:00 a.m., Thursday, April 23, 2015.

## **COMMITTEE HEARINGS**

### **CONFERENCE COMMITTEE ON BUDGET**

Thursday, April 23, 2015, 8:30 AM, House Hearing Room 3.

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

Conference Committee Meeting on House Appropriations Bills SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SS SCS HCS HB 12, SCS HCS HB 13

### **EMERGING ISSUES IN EDUCATION**

Monday, April 27, 2015, 2:30 PM, House Hearing Room 1.

Public hearing will be held: SCS SB 328

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

### **FISCAL REVIEW**

Thursday, April 23, 2015, 8:15 AM, South Gallery.

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

Executive session on bill(s) referred to the committee.

### **CORRECTED**

### **SELECT COMMITTEE ON COMMERCE**

Thursday, April 23, 2015, Upon Adjournment, South Gallery.

Executive session will be held: HB 865

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

SELECT COMMITTEE ON EDUCATION

Thursday, April 23, 2015, 8:00 AM, House Hearing Room 5.

Executive session will be held: HB 1017, HB 1293, HB 1262, SB 13, SCS SB 172, SCS SB 224

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

SB224 Added

AMENDED

SELECT COMMITTEE ON FINANCIAL INSTITUTIONS AND TAXATION

Thursday, April 23, 2015, 8:00 AM, House Hearing Room 7.

Executive session will be held: SCS SB 345, SB 244, SB 524, SS SCS SB 15, SCS SB 300, SS SCS

SB 115, HB 841

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

AMENDED

SELECT COMMITTEE ON INSURANCE

Thursday, April 23, 2015, 8:00 AM, House Hearing Room 4.

Executive session will be held: SB 164, HB 262, SB 282, HB 780

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

SELECT COMMITTEE ON SOCIAL SERVICES

Thursday, April 23, 2015, Upon Conclusion of Morning Session, House Hearing Room 1.

Public hearing will be held: HB 1090

Executive session will be held: HB 977, HB 1090, SCS SB 322, SCS SB 341, HB 1268

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

AMENDED

SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS

Thursday, April 23, 2015, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 1179, SB 272, SCS SB 456, SS SCS SB 67, SCS SB 245, SB

156, SB 166, SS SCS SB 278, SB 318, SB 446

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

SELECT COMMITTEE ON UTILITIES

Thursday, April 23, 2015, 8:30 AM, House Hearing Room 6.

Executive session will be held: HB 1102, SCS SB 445

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

WAYS AND MEANS

Thursday, April 23, 2015, 9:40 AM, North Gallery.

Executive session will be held: HB 649

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

**HOUSE CALENDAR**

FIFTY-SEVENTH DAY, THURSDAY, APRIL 23, 2015

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 44 - Shumake  
HJR 9 - Burlison  
HJR 4 - Haahr  
HCS HJR 41 - Jones

**HOUSE BILLS FOR PERFECTION**

HCS HB 138 - Reiboldt  
HCS HB 181 - Haahr  
HCS HB 497 - Austin  
HCS HB 203 - Curtman  
HB 793 - Rizzo  
HCS HB 321 - Jones  
HCS HB 339 - McGaugh  
HCS HB 550 - Wood  
HCS HB 655 - Love  
HB 676 - Rowden  
HCS HB 965 - Allen  
HCS HB 356 - Jones  
HCS HB 624 - Franklin  
HCS HB 654 - Allen  
HCS HB 770 - Jones  
HCS HB 461 - Bahr  
HCS HB 520 - Hicks  
HCS HB 540 - Johnson  
HB 739 - McCann Beatty  
HCS HB 955 - Ross  
HCS HB 547 - Allen  
HB 981 - Rowden  
HCS HB 67 - Dugger  
HB 702 - Higdon  
HB 761 - Jones  
HB 892 - Shumake  
HCS HB 1047 - Zerr  
HCS HB 1091 - Phillips  
HCS HB 122 - McGaugh  
HB 464 - Rowden  
HCS HB 479 - Houghton  
HCS HB 760 - Flanigan  
HCS HB 803 - Swan

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HCS HB 921 - Burlison  
HCS HB 1003 - Hummel  
HB 1313 - Rowden  
HB 1324, HCA 1 - Rowden  
HB 854 - Reiboldt  
HCS HB 956 - Fraker  
HCS HB 1048 - Kidd  
HCS HB 165 - Gosen  
HCS HB 180 - Cookson  
HCS HB 530 - Roden  
HCS HB 697 - Corlew  
HCS HB 1074 - Lant  
HB 1247 - Lant  
HCS HB 1254 - Lichtenegger  
HCS HBs 159 & 570 - Rehder  
HB 195 - Love  
HB 202 - Morris  
HB 253 - Berry  
HB 257 - Dugger  
HB 285 - White  
HCS HB 565 - Spencer  
HB 612 - Fitzwater (144)  
HB 824 - Korman  
HB 1005 - Berry  
HCS HB 1040 - Jones  
HB 1054 - Spencer  
HCS HB 1067 - Koenig  
HCS HB 879 - Korman

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 35 - Reiboldt

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 24 - Cierpiot  
HCS HJR 7 - Engler

**HOUSE BILLS FOR THIRD READING**

HB 582 - Curtis  
HCS HB 513, (Fiscal Review 3/4/15) - McCaherty  
HB 928 - Corlew  
HCS HB 137, (Fiscal Review 4/22/15), E.C. - McCaherty  
HCS HBs 671 & 683 - Frederick  
HCS HB 1066, (Fiscal Review 4/22/15) - Allen

HCS HB 830 - Curtman  
HCS HB 1312 - Rowden  
HCS HB 519 - Vescovo  
HB 324 - Shumake  
HCS HB 375 - McGaugh  
HCS HB 476, (Fiscal Review 4/22/15), E.C. - Fitzwater (144)  
HCS HB 583 - Cross  
HCS HB 884 - Rowden  
HB 1039 - Dugger  
HCS HB 422 - Burlison  
HCS HB 658 - Ross  
HCS HB 1184, (Fiscal Review 4/22/15) - Hummel  
HB 571 - Burlison  
HCS HB 1243 - English  
HCS HB 1318, (Fiscal Review 4/22/15) - Brown (057)  
HCS HB 762 - Higdon  
HCS HB 198, (Fiscal Review 4/22/15) - Morris

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

SCS SCR 21, 19 & 23  
SCR 24

**SENATE BILLS FOR THIRD READING - CONSENT**

(04/16/2015)

SB 116 - Davis

**SENATE BILLS FOR THIRD READING**

SB 68 - Black  
HCS SB 231 - Rhoads  
HCS SCS SBs 34 & 105, E.C. - Davis  
HCS SB 254 - Kolkmeier  
HCS SCS SB 270 - Colona  
HCS SB 283 - Leara  
HCS SCS SB 473, E.C. - Rowland

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 2 - English

**HOUSE BILLS WITH SENATE AMENDMENTS**

SCS HCS HB 1 - Flanigan

**BILLS IN CONFERENCE**

CCR SCS HCS HB 2, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 3, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 4, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 5, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 6, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 7, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 8, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 9, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 10, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 11, as amended, (Fiscal Review 4/22/15) - Flanigan  
CCR SS SCS HCS HB 12, (Fiscal Review 4/22/15) - Flanigan  
CCR SCS HCS HB 13, (Fiscal Review 4/22/15) - Flanigan  
SS#2 SCS SB 11, HA 1, HA 1 HA 2, HA 2, a.a., HA 1 HA 3, HA 3, a.a., & HA 4 - Rowden  
CCR HCS SCS SB 152, as amended, (Fiscal Review 4/22/15) - Miller  
SCS HCS HB 42, as amended, E.C. - Wood  
CCR HCS SB 104, as amended, (Fiscal Review 4/22/15) - Dugger