

# JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

FORTIETH DAY, WEDNESDAY, MARCH 14, 2018

The House met pursuant to adjournment.

Representative Mathews in the Chair.

Speaker Richardson assumed the Chair.

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 046

Alferman	Basye	Beck	Bernskoetter	Black
Bondon	Brown 27	Burns	Butler	Cross
Davis	DeGroot	Dinkins	Dogan	Engler
Fraker	Francis	Hansen	Harris	Henderson
Hill	Houx	Hurst	Justus	Kelley 127
Kelly 141	Kidd	Korman	Lichtenegger	May
McGee	Morse 151	Muntzel	Pogue	Redmon
Rehder	Reiboldt	Remole	Rowland 155	Rowland 29
Shull 16	Stevens 46	Taylor	Walsh	White
Wilson				

NOES: 000

PRESENT: 062

Anderson	Andrews	Bahr	Baringer	Beard
Berry	Chipman	Christofanelli	Conway 104	Cookson
Corlew	Dohrman	Eggleston	Evans	Fitzpatrick
Fitzwater	Franks Jr	Frederick	Gray	Gregory
Haahr	Haefner	Helms	Higdon	Houghton
Johnson	Kendrick	Knight	Kolkmeyer	Lynch
Mathews	McCann Beatty	McDaniel	McGaugh	Miller
Moon	Mosley	Neely	Nichols	Pietzman
Pike	Reisch	Revis	Roden	Rone
Ross	Ruth	Schroer	Shaul 113	Shumake
Smith 163	Sommer	Stacy	Stephens 128	Swan
Trent	Unsicker	Vescovo	Walker 3	Wiemann
Wood	Mr. Speaker			

ABSENT WITH LEAVE: 054

Adams	Anders	Arthur	Austin	Bangert
Barnes 60	Barnes 28	Brattin	Brown 57	Brown 94
Burnett	Carpenter	Conway 10	Cornejo	Curtis

Curtman	Ellebracht	Ellington	Franklin	Gannon
Green	Grier	Hannegan	Lant	Lauer
Lavender	Love	Marshall	Matthiesen	McCreery
Meredith 71	Merideth 80	Messenger	Mitten	Morgan
Morris 140	Newman	Peters	Pfautsch	Phillips
Pierson Jr	Plocher	Quade	Razer	Rhoads
Roberts	Roeber	Runions	Smith 85	Spencer
Tate	Walker 74	Washington	Wessels	

VACANCIES: 001

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

*O give thanks unto the Lord, for He is good: for His mercy endureth forever.* (Psalm 118:29)

O God from whom flows the life that is in us all, we thank You for the mercies You give us so freely. For family and friends, for homes in which love rules, for sacred places where we can worship as we desire, for a Country that is free, we thank You. For duties that make us strong, for truth that enforces our attempts for justice, and for love which surrounds us in our search for peace, we thank You.

Strengthen us to fight against every enemy of the human spirit, to stand bravely for what is true, right, and good, and help us to live our own lives so that when night comes we may not only receive praise from You but also have the inner assurance of having fought a good fight and having kept the faith.

Bless our dear ones with the gift of Your grace, comfort the sorrowing, heal the sick, and give light to all who sit in darkness.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was led by Addison Redmon.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Oliver Curtman, Piper Curtman, Carolina Vallé Franca, Adam Bartow, Michael Rentchler, and Colleen Rentchler.

The Journal of the thirty-ninth day was approved as corrected by the following vote:

AYES: 129

Adams	Alferman	Anders	Anderson	Arthur
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 27	Brown 57	Burnett
Burns	Butler	Chipman	Christofanelli	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Cross
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Haahr	Haefner
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCann Beatty	McCreery	McDaniel	McGaugh

McGee	Merideth 80	Miller	Moon	Morgan
Morris 140	Morse 151	Muntzel	Neely	Nichols
Pietzman	Pike	Pogue	Quade	Redmon
Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Stacy
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 033

Andrews	Austin	Barnes 60	Brown 94	Carpenter
Curtis	Curtman	Ellebracht	Ellington	Franklin
Grier	Hannegan	Lauer	Matthiesen	Meredith 71
Messenger	Mitten	Mosley	Newman	Peters
Pfautsch	Phillips	Pierson Jr	Plocher	Razer
Rehder	Rhoads	Smith 85	Spencer	Stephens 128
Walker 74	Washington	Wessels		

VACANCIES: 001

## SECOND READING OF HOUSE COMMITTEE BILLS

The following House Committee Bill was read the second time:

**HCB 11**, relating to persons under protective custody.

### PERFECTION OF HOUSE BILLS

**HCS HB 2265**, relating to public utilities, was taken up by Representative Berry.

On motion of Representative Berry, the title of **HCS HB 2265** was agreed to.

**HCS HB 2265** was laid over.

### PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 2014**, relating to supplemental appropriations, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, the title of **HCS HB 2014** was agreed to.

Representative Conway (104) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2014, Page 2, Section 14.060, Line 4, by inserting immediately thereafter the following:

"Section 14.065. To the Department of Transportation  
For the Motor Carrier Safety Assistance Program  
From Motor Carrier Safety Assistance Program/Division of Transportation - Federal Fund  
(0185).....\$1,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Conway (104), **House Amendment No. 1** was adopted.

On motion of Representative Fitzpatrick, **HCS HB 2014, as amended**, was adopted.

On motion of Representative Fitzpatrick, **HCS HB 2014, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - INFORMAL**

**HCS HB 1635**, relating to sexual assault reporting in long-term care facilities, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, the title of **HCS HB 1635** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1635, Page 3, Section 198.070, Line 81, by inserting after all of said section and line the following:

**"198.610. 1. The provisions of sections 198.610 to 198.630 shall be known and may be cited as the "Authorized Electronic Monitoring in Long-Term Care Facilities Act".**

**2. For purposes of sections 198.610 to 198.630, the following terms shall mean:**

- (1) "Authorized electronic monitoring", the placement and use of an electronic monitoring device by a resident in his or her room in accordance with the provisions of sections 198.610 to 198.630;**
- (2) "Department", the department of health and senior services;**
- (3) "Electronic monitoring device", a surveillance instrument with a fixed position video camera or an audio recording device, or a combination thereof, that is installed in a resident's room under the provisions of sections 198.610 to 198.630 and broadcasts or records activity or sounds occurring in the room;**
- (4) "Facility", any residential care facility, assisted living facility, intermediate care facility, or skilled nursing facility;**
- (5) "Resident", a person residing in a facility;**
- (6) "Resident's representative", a resident's legal representative.**

**198.612. 1. A resident may be permitted to conduct authorized electronic monitoring of the resident's room through the use of electronic monitoring devices placed in the room under the provisions of sections 198.610 to 198.630 if the facility in which the resident resides permits electronic monitoring devices in its policies and procedures, and the electronic monitoring devices comply with the facility's requirements therein.**

**2. Nothing in sections 198.610 to 198.630 shall be construed to allow the use of an electronic monitoring device to take still photographs or for the nonconsensual interception of private communications.**

3. Except as otherwise provided in this section, a resident, a resident's representative, or the parent of a resident under eighteen years of age and the facility shall consent in writing on a notification and consent form prescribed by the department in order for authorized electronic monitoring to be conducted in the resident's room. If the resident has not affirmatively objected to the authorized electronic monitoring and the resident's physician determines that the resident lacks the ability to understand and appreciate the nature and consequences of electronic monitoring, the following individuals may consent on behalf of the resident in order of priority:

- (1) An attorney-in-fact under a durable power of attorney for health care;
- (2) The resident's representative;
- (3) The resident's spouse;
- (4) The resident's parent;
- (5) The resident's adult child who has the written consent of all other adult children of the resident to act as the sole decision maker regarding authorized electronic monitoring; or
- (6) The resident's adult brother or sister who has the written consent of all other adult siblings of the resident to act as the sole decision maker regarding authorized electronic monitoring.

4. Prior to another person, other than a resident's representative, consenting on behalf of a resident eighteen years of age or older in accordance with the provisions of sections 198.610 to 198.630, the resident shall be asked by that person, in the presence of a facility employee, if he or she wants authorized electronic monitoring to be conducted. The person shall explain to the resident:

- (1) The type of electronic monitoring device to be used;
- (2) The standard conditions that may be placed on the electronic monitoring device's use, including those listed in subdivision (7) of subsection 2 of section 198.614;
- (3) With whom the recording may be shared according to section 198.622; and
- (4) The resident's ability to decline all recording.

For the purposes of this subsection, a resident affirmatively objects if he or she orally, visually, or through the use of auxiliary aids or services declines authorized electronic monitoring. The resident's response shall be documented on the notification and consent form.

5. A resident or roommate may consent to authorized electronic monitoring with any conditions of the resident's choosing including, but not limited to, the list of standard conditions provided in subdivision (7) of subsection 2 of section 198.614. A resident or roommate may request that the electronic monitoring device be turned off or the visual recording component of the electronic monitoring device be blocked at any time.

6. Prior to the authorized electronic monitoring, a resident shall obtain the written consent of any other resident residing in the room on the notification and consent form prescribed by the department. Except as otherwise provided in this subsection, a roommate, a roommate's legal representative, or the parent of a roommate under eighteen years of age shall consent in writing to the authorized electronic monitoring in the resident's room. If the roommate has not affirmatively objected to the authorized electronic monitoring in accordance with subsection 4 of this section and the roommate's physician determines that the roommate lacks the ability to understand and appreciate the nature and consequences of electronic monitoring, the following individuals may consent on behalf of the roommate, in order of priority:

- (1) An attorney-in-fact under a durable power of attorney for health care;
- (2) The roommate's legal representative;
- (3) The roommate's spouse;
- (4) The roommate's parent;
- (5) The roommate's adult child who has the written consent of all other adult children of the roommate to act as the sole decision maker regarding authorized electronic monitoring; or
- (6) The roommate's adult brother or sister who has the written consent of all other adult siblings of the roommate to act as the sole decision maker regarding authorized electronic monitoring.

7. Consent by a roommate under subsection 6 of this section authorizes the resident's use of any recording obtained under sections 198.610 to 198.630 as provided under section 198.622.

8. Any resident previously conducting authorized electronic monitoring shall obtain consent from any new roommate before the resident may resume authorized electronic monitoring. If a new roommate does not consent to authorized electronic monitoring and the resident conducting the authorized electronic monitoring does not remove or disable the electronic monitoring device, the facility may turn off the device.

9. Consent may be withdrawn by the resident or roommate at any time, and the withdrawal of consent shall be documented in the resident's clinical record. If a roommate withdraws consent and the resident conducting the authorized electronic monitoring does not remove or disable the electronic monitoring device, the facility may turn off the electronic monitoring device.

198.614. 1. Authorized electronic monitoring may begin only after a notification and consent form prescribed by the department has been completed and submitted to the facility, and the facility consents.

2. A resident shall notify the facility in writing of his or her intent to install an electronic monitoring device by providing a completed notification and consent form prescribed by the department that shall include at minimum the following information:

(1) The resident's signed consent to electronic monitoring or the signature of the person consenting on behalf of the resident in accordance with section 198.612. If a person other than the resident signs the consent form, the form shall document the following:

(a) The date the resident was asked if he or she wants authorized electronic monitoring to be conducted in accordance with subsection 4 of section 198.612;

(b) Who was present when the resident was asked; and

(c) An acknowledgment that the resident did not affirmatively object;

(2) The resident's roommate's signed consent or the signature of the person consenting on behalf of the roommate in accordance with section 198.612, if applicable, and any conditions placed on the roommate's consent. If a person other than the roommate signs the consent form, the form shall document the following:

(a) The date the roommate was asked if he or she wants authorized electronic monitoring to be conducted in accordance with subsection 4 of section 198.612;

(b) Who was present when the roommate was asked; and

(c) An acknowledgment that the roommate did not affirmatively object;

(3) The type of electronic monitoring device to be used;

(4) Any installation needs such as mounting of a device to a wall or ceiling;

(5) The proposed date of installation for scheduling purposes;

(6) A copy of any contract for maintenance of the electronic monitoring device by a commercial entity;

(7) A list of standard conditions or restrictions that the facility, resident, or roommate may elect to place on the use of the electronic monitoring device including, but not limited to:

(a) Prohibiting audio recording;

(b) Prohibiting broadcasting of audio or video; or

(c) Turning off the electronic monitoring device or blocking the visual recording component of the electronic monitoring device for the duration of an exam or procedure by a health care professional; while dressing or bathing is performed; or for the duration of a visit with a spiritual advisor, ombudsman, attorney, financial planner, intimate partner, or other visitor; and

(8) Any other condition or restriction elected by the facility, resident, or roommate on the use of an electronic monitoring device.

3. A copy of the completed notification and consent form shall be placed in the resident's and any roommate's clinical record and a copy shall be provided to the resident and his or her roommate, if applicable.

4. The department shall prescribe the notification and consent form required in this section no later than sixty days after the effective date of sections 198.610 to 198.630. If the department has not prescribed such a form by that date, the attorney general shall post a notification and consent form on its website for resident use until the department has prescribed the form.

198.616. 1. A resident authorized to conduct authorized electronic monitoring shall do so at his or her own expense, including paying purchase, installation, maintenance, and removal costs.

2. If a resident authorized to conduct authorized electronic monitoring chooses to install an electronic monitoring device that uses internet technology for visual or audio monitoring, such resident is responsible for contracting with an internet service provider.

3. The electronic monitoring device shall be placed in a conspicuously visible location in the room.

4. No facility shall charge the resident a fee for the cost of electricity used by an electronic monitoring device.

5. All electronic monitoring device installations and supporting services shall comply with the requirements of the National Fire Protection Association (NFPA) 101 Life Safety Code (2015 edition).

198.618. 1. If a resident of a facility conducts authorized electronic monitoring, a sign shall be clearly and conspicuously posted at all building entrances accessible to visitors. The notice shall be entitled

“Electronic Monitoring” and shall state in large, easy-to-read type: “The rooms of some residents may be monitored electronically by or on behalf of the residents.”.

2. A sign shall be clearly and conspicuously posted at the entrance to a resident’s room where authorized electronic monitoring is being conducted. The notice shall state in large, easy-to-read type: “This room is electronically monitored.”.

3. The facility is responsible for installing and maintaining the signage required in this section.

198.620. 1. No person or entity shall knowingly hamper, obstruct, tamper with, or destroy an electronic monitoring device installed in a resident’s room without the permission of the resident or the individual who consented on behalf of the resident, and the facility, in accordance with section 198.612.

2. No person or entity shall knowingly hamper, obstruct, tamper with, or destroy a video or audio recording obtained in accordance with sections 198.610 to 198.630 without the permission of the resident or the individual who consented on behalf of the resident, and the facility, in accordance with section 198.612.

3. A person or entity that violates this section is guilty of a class B misdemeanor. A person or entity that violates this section in the commission of or to conceal a misdemeanor offense is guilty of a class A misdemeanor. A person or entity that violates this section in the commission of or to conceal a felony offense is guilty of a class D felony.

4. It is not a violation of this section if a person or facility turns off the electronic monitoring device or blocks the visual recording component of the electronic monitoring device at the direction of the resident or the person who consented on behalf of the resident in accordance with section 198.612.

198.622. 1. No facility shall access any video or audio recording created through authorized electronic monitoring without the written consent of the resident or the person who consented on behalf of the resident, and the facility, in accordance with section 198.612.

2. Except as required under the Freedom of Information Act, a recording or copy of a recording made under sections 198.610 to 198.630 shall only be disseminated for the purpose of addressing concerns relating to the health, safety, or welfare of a resident or residents.

3. The resident or person who consented on behalf of the resident in accordance with section 198.612 shall provide a copy of any video or audio recording to parties involved in a criminal or administrative proceeding, upon a party’s request, if the video or audio recording was made during the time period that the conduct at issue in the proceeding allegedly occurred.

198.624. Any individual who has reasonable cause to believe, as a result of any video or audio recording created through authorized electronic monitoring in accordance with the provisions of sections 198.610 to 198.630, that a resident has been the victim of a sexual assault shall report such suspected assault to a local law enforcement entity and provide such entity with a copy of the video or audio recording. Subject to applicable rules of evidence and procedure, any video or audio recording created through authorized electronic monitoring in accordance with the provisions of sections 198.610 to 198.630 may be admitted into evidence in a civil, criminal, or administrative proceeding if the contents of the recording have not been edited or artificially enhanced and the video recording includes the date and time the events occurred.

198.626. Each facility shall report to the department, in a manner prescribed by the department, the number of authorized electronic monitoring notification and consent forms received annually. The department shall report the total number of authorized electronic monitoring notification and consent forms received from facilities to the attorney general annually.

198.628. 1. No facility shall be civilly or criminally liable for the inadvertent or intentional disclosure of a recording by a resident or a person who consents on behalf of the resident for any purpose not authorized by sections 198.610 to 198.630. Nothing in sections 198.610 to 198.630 shall permit or authorize a resident to use any device that in any way violates any other state or federal law or regulation.

2. No facility shall be civilly or criminally liable for a violation of a resident’s right to privacy arising out of any electronic monitoring conducted under sections 198.610 to 198.630.

3. The department shall promulgate rules to adopt the form described in subsection 2 of section 198.614. 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, 2018, shall be invalid and void.

**198.630. No person shall:**

(1) **Intentionally retaliate or discriminate against any resident for consenting to authorized electronic monitoring under sections 198.610 to 198.630; or**

(2) **Prevent the installation or use of an electronic monitoring device by a resident who has received authorization from the facility with notice and consent as required under section 198.614 that otherwise meets the requirements of sections 198.610 to 198.630.";** and

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

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

On motion of Representative Bernskoetter, **HCS HB 1635, as amended**, was adopted.

On motion of Representative Bernskoetter, **HCS HB 1635, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS

**HCS HB 2265**, relating to public utilities, was again taken up by Representative Berry.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2265, Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

"386.135. 1. The commission shall have an independent technical advisory staff of up to six full-time employees. The advisory staff shall have expertise in accounting, economics, finance, engineering/utility operations, law, or public policy.

2. In addition, each commissioner shall also have the authority to retain one personal advisor, who shall be deemed a member of the technical advisory staff. The personal advisors will serve at the pleasure of the individual commissioner whom they serve and shall possess expertise in one or more of the following fields: accounting, economics, finance, engineering/utility operations, law, or public policy.

3. The commission shall only hire technical advisory staff pursuant to subsections 1 and 2 of this section if there is a corresponding elimination in comparable staff positions for commission staff to offset the hiring of such technical advisory staff on a cost-neutral basis. [~~Such technical advisory staff shall be hired on or before July 1, 2005.~~]

4. It shall be the duty of the technical advisory staff to render advice and assistance to the commissioners and the commission's administrative law judges on technical matters within their respective areas of expertise that may arise during the course of proceedings before the commission. **Communications between commissioners and technical advisory staff members who are not attorneys shall be protected from public disclosure if and to the same extent such communications between a commissioner and a technical advisory staff member who is an attorney would have been protected from public disclosure.**

5. The technical advisory staff shall also update the commission and the commission's administrative law judges periodically on developments and trends in public utility regulation, including updates comparing the use, nature, and effect of various regulatory practices and procedures as employed by the commission and public utility commissions in other jurisdictions.

6. Each member of the technical advisory staff shall be subject to any applicable ex parte or conflict of interest requirements in the same manner and to the same degree as any commissioner, provided that neither any person regulated by, appearing before, or employed by the commission shall be permitted to offer such member a different appointment or position during that member's tenure on the technical advisory staff.

7. No employee of a company or corporation regulated by the public service commission, no employee of the office of public counsel or the public counsel, and no staff members of either the utility operations division or utility



services division who were an employee or staff member on, during the two years immediately preceding, or anytime after August 28, 2003, may be a member of the commission's technical advisory staff for two years following the termination of their employment with the corporation, office of public counsel or commission staff member.

8. The technical advisory staff shall never be a party to any case before the commission."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2265, Page 9, Section 393.1400, Lines 22-29, by deleting all of said lines and inserting in lieu thereof the following:

**"electrical corporations shall, starting after the effective date of this section if the electrical corporation has made the election provided for by subsection 5 of this section by that date, or on the date such election is made if the election is made after the effective date of this section, defer to a regulatory asset fifty percent of the depreciation expense and return on the electrical corporation's monthly gross investment in qualifying electric plant recorded to plant-in-service on the electrical corporation's books after said date. In each general rate proceeding concluded after the"; and**

Further amend said bill and section, Page 10, Line 39, by deleting the phrase "**prudent disallowances**" and inserting in lieu thereof the phrase "**disallowance of imprudently incurred costs**"; and

Further amend said bill, page and section, Line 49, by deleting the word "**less**" and inserting in lieu thereof the phrase "**but shall not account for**"; and

Further amend said bill, page and section, Lines 53-56, by deleting all of said lines and inserting in lieu thereof the following:

**"qualifying electric plant plus applicable federal, state, and local income or excise taxes, but shall not account for changes in plant-related accumulated deferred income taxes and changes in accumulated depreciation."; and**

Further amend said bill, Page 14, Section 393.1640, Line 61, by deleting the word "**concurrent**" and inserting in lieu thereof the word "**concurrently**"; and

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

On motion of Representative Berry, **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. 2265, Page 7, Section 393.137, Lines 16 and 26, by inserting immediately after both instances of the word "**asset**" the words "**or liability**"; 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.

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2265, Page 8, Section 393.170, Line 18, by inserting immediately after said section and line the following:

"393.1025. As used in sections 393.1020 to 393.1030, the following terms mean:

- (1) "Commission", the public service commission;
- (2) "Department", the department of natural resources;
- (3) "Electric utility", any electrical corporation as defined by section 386.020;
- (4) **"Processed solid biomass engineered fiber fuel", any fuel derived from raw biomass feedstock produced in this state that is changed from its original form by pyrolysis or other thermal or thermochemical conversion in a manufacturing process resulting in a solid fuel product with a heat value of at least eight thousand four hundred British Thermal Units per pound on an as-received basis;**

(5) "Renewable energy credit" or "REC", a tradeable certificate of proof that one megawatt-hour of electricity has been generated from renewable energy sources; ~~and~~

~~(5)~~ (6) "Renewable energy resources", electric energy produced from wind, solar thermal sources, photovoltaic cells and panels, dedicated crops grown for energy production, cellulosic agricultural residues, plant residues, **processed solid biomass engineered fiber fuel**, methane from landfills, from agricultural operations, or from wastewater treatment, thermal depolymerization or pyrolysis for converting waste material to energy, clean and untreated wood such as pallets, hydropower (not including pumped storage) that does not require a new diversion or impoundment of water and that has a nameplate rating of ten megawatts or less, fuel cells using hydrogen produced by one of the above-named renewable energy sources, and other sources of energy not including nuclear that become available after November 4, 2008, and are certified as renewable by rule by the department.

393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:

- (1) No less than two percent for calendar years 2011 through 2013;
- (2) No less than five percent for calendar years 2014 through 2017;
- (3) No less than ten percent for calendar years 2018 through 2020; and
- (4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance. **Each kilowatt-hour of eligible energy generated from processed solid biomass engineered fiber fuel shall count as 1.50 kilowatt-hours for purposes of compliance.**

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the

increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding any provision to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 of this section. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a solar rebate for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs, require applications for rebates to be submitted up to one hundred eighty-two days prior to the June thirtieth operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility shall be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff shall include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. The commission shall rule on the suspension filing within sixty days of the date it is filed. If the commission determines that the maximum average retail rate increase will be reached, the commission shall approve the tariff suspension. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling; however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause

undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, 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, 2013, shall be invalid and void."; and

Further amend said bill, Page 9, Section 393.1100, Line 31, by inserting immediately after said section and line the following:

**"393.1130. 1. This section shall be known and may be cited as "The Nuclear Energy Standard".**

**2. As used in this section, the following terms shall mean:**

**(1) "Commission", the public service commission;**

**(2) "Small modular nuclear reactor", a nuclear reactor based on fission that is approved under federal and state laws and regulations to be constructed in this state and produces less than three hundred megawatts of clean electrical energy;**

**(3) "Utility", any electrical corporation, as defined under section 386.020, but this term shall not include any electrical corporation as described under subsection 2 of section 393.110.**

**3. Upon the fulfillment of subsection 4 of this section, the commission shall prescribe by rule that all utilities in this state produce electricity using small modular nuclear reactors such that two percent of each utility's total electricity retail sales are made based on electricity generated by such reactors. The commission shall have discretion with regard to the time for requiring compliance with the nuclear energy standard, but in no case shall it require full compliance less than three years from the fulfillment of the conditions for the effective date of this section. The commission may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.**

**4. This section shall become effective only if a production facility for small modular nuclear reactors has been built in this state and is operational. A facility shall be classified as operational if such facility has produced no fewer than three small modular nuclear reactors in accordance with all federal and state laws and regulations and such reactors are legally available for sale or use. If the commission determines that a production facility is properly operational in accordance with this section, then it shall comply with the requirements of subsection 3 of this section. The commission shall notify the revisor of statutes when a facility has been built and becomes operational.**

**5. Notwithstanding subsection 3 of this section to the contrary, a utility may petition the commission to satisfy the two percent generation requirement from renewable or hydroelectric sources, or with the purchase of renewable energy credits, as defined in section 393.1025. The commission may grant such a petition upon a finding of undue hardship for compliance or due to a lack of increase in demand for energy generation by the utility."; and**

Further amend said bill, Page 21, Section 393.1670, Line 68, by inserting immediately after said section and line the following:

"620.3080. 1. As used in this section, the following terms shall mean:

(1) "Job creation, worker training, and infrastructure development programs", the Missouri works program established under sections 620.2000 to 620.2020, the Missouri business use incentives for large-scale development act established under sections 100.700 to 100.850, the Missouri works training program established under sections 620.800 to 620.809, and the real property tax increment allocation redevelopment act established under sections 99.800 to 99.865;

(2) "Small modular nuclear reactor production facility" or "SMR production facility", a facility, approved under federal and state laws and regulations to be constructed, that produces nuclear reactors based on fission that each produce less than three hundred megawatts of clean electrical energy.

2. Notwithstanding any other provision of law to the contrary, no benefits authorized under job creation, worker training, and infrastructure development programs for an SMR production facility shall be considered in determining compliance with applicable limitations on the aggregate amount of benefits that may be awarded annually or cumulatively under subdivision (3) of subsection 10 of section 99.845, subsection 5 of section 100.850, subsection 7 of section 620.809, and subsection 7 of section 620.2020. No SMR production facility shall be authorized for state benefits under job creation, worker training, and infrastructure development programs that exceed, in the aggregate, one hundred fifty million dollars annually under all such programs."; and

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

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

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

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 2265, Page 4, Line 16, by deleting the phrase "**two percent**" and inserting in lieu thereof the phrase "**a percentage deemed prudent by the commission**"; and

Further amend said amendment and page, Line 36, by deleting the phrase "**two percent**" and inserting in lieu thereof the word "**percentage**"; and

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

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

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

Representative Merideth (80) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 2265, Page 6, Section 386.390, Line 32, by inserting immediately after all of said section and line the following:

**"386.1200. The commission shall have authority to approve programs or rates for electrical corporations that are designed to assist low-income residential customers in restoring or retaining access to essential electric utility services while also seeking to mitigate the adverse financial impacts experienced by other customers as a result of the loss in revenue contribution and the increase in disconnection,**

**reconnection, collection, call center, and other expenses that occur when such customers cannot maintain utility service. The aggregate impact of any special low-income rate shall be limited to no more than one-half of one percent of the total revenue requirement allocated to the residential customer class used to set rates. The commission shall not require any electrical corporation to verify the financial status of its customers, and shall permit electrical corporations to rely upon a third party or community agency to verify any eligibility requirements approved by the commission in order for a residential customer to qualify for a low-income program or rate approved under this section.";** and

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

On motion of Representative Merideth (80), **House Amendment No. 5** was adopted.

Representative McCreery requested a division of the question on **HCS HB 2265, as amended.**

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Alferman	Anderson	Andrews	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Christofanelli	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelly 141	Kidd	Knight
Korman	Lant	Lichtenegger	Love	Lynch
Marshall	Mathews	Matthiesen	McDaniel	McGaugh
Miller	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Reisch	Remole
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
White	Wilson	Wood	Mr. Speaker	

NOES: 040

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Ellebracht
Ellington	Franks Jr	Gray	Green	Harris
Lavender	May	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Morgan	Mosley	Nichols
Quade	Revis	Roberts	Rowland 29	Runions
Smith 85	Stevens 46	Unsicker	Washington	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 023

Austin	Barnes 60	Brown 94	Chipman	Cookson
Frederick	Kelley 127	Kendrick	Kolkmeyer	Lauer
Messenger	Mitten	Moon	Newman	Peters
Phillips	Pierson Jr	Razer	Rhoads	Schroer
Shaul 113	Walker 74	Wiemann		

VACANCIES: 001

On motion of Representative Berry, **Part I of HCS HB 2265, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 134

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 27	Brown 57
Burnett	Burns	Butler	Carpenter	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Ellington	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Knight	Korman	Lant
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Miller
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Nichols	Pfausch	Pietzman	Pike
Plocher	Quade	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Roberts	Roden
Roeber	Rone	Ross	Rowland 29	Runions
Ruth	Schroer	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Washington	Wessels	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 004

Higdon	Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 024

Austin	Barnes 60	Brown 94	Chipman	Cookson
Cross	DeGroot	Frederick	Kendrick	Kolkmeyer
Lauer	Messenger	Mitten	Newman	Peters

Phillips  
Shaul 113

Pierson Jr  
Shull 16

Razer  
Stephens 128

Rhoads  
Walker 74

Rowland 155

VACANCIES: 001

Representative Dogan offered **House Amendment No. 1 to Part II of HCS HB 2265, as amended.**

*House Amendment No. 1*

AMEND Part II of House Committee Substitute for House Bill No. 2265, Page 6, Section 386.390, Line 32, by inserting after all of said section and line the following:

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

**(1) "Advanced meter", a meter or metering device system that is owned or leased by a utility or its agent and that meets one or more of the following requirements:**

**(a) Measures, records, or sends a customer's utility usage or other data by use of radio waves or broadband over power lines;**

**(b) Allows for two-way communication between the meter and the utility or its agent; or**

**(c) Allows for a utility or its agent to control a customer's thermostat, appliance, or service;**

**(2) "Traditional meter", an analog or similar meter that is unable to transmit usage information and is only intended to be read by an individual through a visual display. A traditional meter is not designed to be and is not capable of transmitting usage data by using radio waves or broadband over power lines, allowing two-way communication between the meter and the utility or its agents, or allowing a utility or its agents to control a customer's thermostat, appliance, or service. A traditional meter does not include an advanced meter that has certain functionality turned off or deactivated;**

**(3) "Utility", any entity regulated by the commission under chapter 386 or 393.**

**2. A utility shall not install an advanced meter, upgrade the functionality of a previously installed advanced meter, or replace a customer's meter with an advanced meter, a traditional meter, or any other type of meter unless:**

**(1) Prior to such installation, upgrade, or replacement, the utility notifies the customer of the intended installation, upgrade, or replacement. Such notice may be sent by mail, electronic means, telephone, or door hanger. Such notice shall be separate from any billing mailing or notification;**

**(2) Immediately before performing the installation, upgrade, or replacement, the on-site utility worker or his or her agent attempts to orally inform the customer of the installation, upgrade, or replacement; and**

**(3) After performing the installation, upgrade, or replacement, the on-site utility worker shall leave written notice of work performed."; and**

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

Representative Plocher offered **House Amendment No. 1 to House Amendment No. 1 to Part II.**

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to Part II of House Committee Substitute for House Bill No. 2265, Page 1, Line 22, by deleting the word "**notifies**" and inserting in lieu thereof the words "**attempts to notify**"; and

Further amend said page, Lines 25 through 28, by deleting all of said lines and inserting in lieu thereof the following:



**"notification. The on-site utility worker shall attempt to orally inform the customer of the installation, upgrade, or replacement; and"; and**

Further amend said page, Line 29, by deleting the numeral "(3)" and inserting in lieu thereof the numeral "(2)"; and

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

On motion of Representative Plocher, **House Amendment No. 1 to House Amendment No. 1 to Part II of HCS HB 2265, as amended**, was adopted.

On motion of Representative Dogan, **House Amendment No. 1 to Part II of HCS HB 2265, as amended**, was adopted.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Alferman	Anderson	Andrews	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 104
Corlew	Cornejo	Curtman	Davis	Dinkins
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Gannon	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Helms	Henderson	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Korman
Lant	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	McDaniel	McGaugh	Miller
Moon	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Reisch	Remole
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Schroer	Shull 16	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 039

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Ellebracht
Ellington	Franks Jr	Gray	Green	Harris
Lavender	May	McCann Beatty	McCreery	McGee
Meredith 71	Morgan	Mosley	Nichols	Quade
Revis	Roberts	Rowland 29	Runions	Smith 85
Stevens 46	Unsicker	Washington	Wessels	

PRESENT: 000

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ABSENT WITH LEAVE: 023

Austin	Barnes 60	Brown 94	Cookson	Cross
DeGroot	Frederick	Higdon	Kendrick	Kolkmeyer
Lauer	Merideth 80	Messenger	Mitten	Newman
Peters	Phillips	Pierson Jr	Razer	Rhoads
Shaul 113	Shumake	Walker 74		

VACANCIES: 001

On motion of Representative Berry, **Part II of HCS HB 2265, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 128

Adams	Alferman	Anders	Anderson	Andrews
Bahr	Bangert	Baringer	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Burns	Butler	Carpenter
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Knight	Korman	Lant
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McDaniel	McGaugh	McGee
Merideth 80	Miller	Moon	Morris 140	Morse 151
Mosley	Muntzel	Neely	Nichols	Pfautsch
Pietzman	Pike	Plocher	Quade	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roberts	Roden	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 013

Arthur	Barnes 28	Brown 27	Burnett	Curtis
Ellington	Lavender	Marshall	McCreery	Meredith 71
Morgan	Pogue	Stevens 46		

PRESENT: 001

Cross

ABSENT WITH LEAVE: 020

Austin	Barnes 60	Brown 94	Cookson	DeGroot
Frederick	Higdon	Kendrick	Kolkmeyer	Lauer

Messenger	Mitten	Newman	Peters	Phillips
Pierson Jr	Razer	Rhoads	Shaul 113	Walker 74

VACANCIES: 001

On motion of Representative Berry, **HCS HB 2265, as amended**, was ordered perfected and printed.

**HCS HBs 2280, 2120, 1468 & 1616**, relating to MO HealthNet benefits for pregnant women, was taken up by Representative Haefner.

On motion of Representative Haefner, the title of **HCS HBs 2280, 2120, 1468 & 1616** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2280, 2120, 1468 & 1616, Page 4, Section 208.151, Lines 110 and 111, by deleting said lines and inserting in lieu thereof the following:

**"giving birth shall be eligible for MO HealthNet benefits for no more than twelve additional months as long as the woman remains adherent with treatment. The department of mental health and the department of social services shall seek any necessary waiver from the Centers for Medicare and Medicaid Services and shall develop rules relating to treatment plan adherence. No later than fifteen months after receiving any necessary waiver, the department of mental health and the department of social services shall report to the house of representatives budget committee and the senate appropriations committee on the compliance with federal cost neutrality requirements;"**; and

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

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

On motion of Representative Haefner, **HCS HBs 2280, 2120, 1468 & 1616, as amended**, was adopted.

On motion of Representative Haefner, **HCS HBs 2280, 2120, 1468 & 1616, as amended**, was ordered perfected and printed.

## HOUSE RESOLUTIONS

**HR 4907**, relating to Taiwan, was taken up by Representative Shumake.

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

*House Amendment No. 1*

AMEND House Resolution No. 4907, Page 2, Line 34, by removing the phrase "Rex W. Tillerson"; and

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

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

On motion of Representative Shumake, **HR 4907, as amended**, was adopted by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 120

Adams	Alferman	Anders	Anderson	Andrews
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Berry	Black	Brattin
Brown 27	Brown 57	Burnett	Burns	Butler
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Curtis	Curtman	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Francis	Franklin	Franks Jr	Gannon
Gray	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelly 141	Kendrick	Knight	Lant
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCann Beatty	McCreery	McGaugh
Meredith 71	Merideth 80	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Nichols	Pfautsch
Pietzman	Pike	Plocher	Quade	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roberts	Roden	Rone	Ross	Rowland 155
Rowland 29	Runions	Schroer	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Taylor	Unsicker
Vescovo	Walker 3	Walsh	Washington	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 000

PRESENT: 003

Ellington	Korman	Pogue
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ABSENT WITH LEAVE: 039

Arthur	Austin	Barnes 60	Bernskoetter	Bondon
Brown 94	Carpenter	Cookson	Cross	Davis
DeGroot	Dinkins	Fraker	Frederick	Green
Gregory	Kelley 127	Kidd	Kolkmeyer	Lauer
Matthiesen	McDaniel	McGee	Messenger	Miller
Mitten	Neely	Newman	Peters	Phillips
Pierson Jr	Razer	Rhoads	Roeber	Ruth
Shaul 113	Tate	Trent	Walker 74	

VACANCIES: 001

## REFERRAL OF HOUSE COMMITTEE BILLS

The following House Committee Bill was referred to the Committee indicated:

**HC B 11** - Rules - Administrative Oversight

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 2265** - Fiscal Review

**HCS HBs 2280, 2120, 1468 & 1616** - Fiscal Review

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Agriculture Policy, to which was authorized **HC B 16**, relating to Agriculture, begs leave to report it has examined the same and recommends that it **Be Introduced** by the following vote:

Ayes (10): Bernskoetter, Eggleston, Houghton, Hurst, Kelly (141), Knight, Love, Morse (151), Reiboldt and Rone

Noes (2): Harris and McCreery

Absent (2): Lavender and Stevens (46)

Read the first time and copies ordered printed.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (13): Bernskoetter, Eggleston, Harris, Houghton, Hurst, Kelly (141), Knight, Love, McCreery, Morse (151), Reiboldt, Rone and Stevens (46)

Noes (0)

Absent (1): Lavender

**Committee on Budget**, Chairman Fitzpatrick reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (29): Alferman, Andrews, Bahr, Black, Burnett, Christofanelli, Davis, Fitzpatrick, Gregory, Haefner, Kelly (141), Kendrick, Korman, Lavender, Lichtenegger, McGee, Merideth (80), Pierson Jr., Quade, Razer, Redmon, Rone, Ross, Rowland (155), Smith (163), Swan, Trent, Walsh and Wood

Noes (1): Hill

Absent (5): Butler, Conway (104), May, Spencer and Taylor

**Committee on Conservation and Natural Resources**, Chairman Anderson reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2257**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Anderson, Beard, Harris, Houx, Love, Meredith (71), Remole, Revis and Taylor

Noes (0)

Absent (3): Engler, Phillips and Pierson Jr.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SB 649**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Anderson, Beard, Harris, Houx, Love, Meredith (71), Remole, Revis and Taylor

Noes (0)

Absent (3): Engler, Phillips and Pierson Jr.

**Committee on Financial Institutions**, Chairman Fraker reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 2351**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Bondon, Brown (57), Dinkins, Fraker, Francis, Helms, Houx, Nichols, Rowland (29), Shaul (113) and Walker (3)

Noes (0)

Absent (3): Green, Redmon and Smith (85)

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Bondon, Brown (57), Dinkins, Fraker, Francis, Helms, Houx, Nichols, Rowland (29), Shaul (113) and Walker (3)

Noes (0)

Absent (3): Green, Redmon and Smith (85)

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 623**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Bondon, Brown (57), Dinkins, Fraker, Francis, Helms, Houx, Nichols, Rowland (29), Shaul (113) and Walker (3)

Noes (0)

Absent (3): Green, Redmon and Smith (85)

**Committee on General Laws**, Chairman Cornejo reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2409**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Anderson, Arthur, Basye, Carpenter, Cornejo, Cross, Mathews, McCreery, Merideth (80), Roeber, Schroer and Taylor

Noes (0)

Absent (1): Evans

**Committee on Judiciary**, Chairman Corlew reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1843**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Beard, Corlew, DeGroot, Ellebracht, Gregory, Marshall, Mitten, Roberts, Toalson Reisch and White

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1844**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Beard, Corlew, DeGroot, Ellebracht, Gregory, Marshall, Mitten, Roberts, Toalson Reisch and White

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1845**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Beard, Corlew, DeGroot, Ellebracht, Gregory, Marshall, Mitten, Roberts, Toalson Reisch and White

Noes (0)

Absent (0)

**Special Committee on Government Oversight**, Chairman Brattin reporting:

Mr. Speaker: Your Special Committee on Government Oversight, to which was referred **HCR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (5): Brattin, Christofanelli, Moon, Taylor and Toalson Reisch

Noes (4): Bangert, Barnes (28), Merideth (80) and Washington

Absent (3): Brown (57), Hill and Messenger

Mr. Speaker: Your Special Committee on Government Oversight, to which was referred **HRB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Bangert, Barnes (28), Brattin, Christofanelli, Merideth (80), Moon, Taylor, Toalson Reisch and Washington

Noes (0)

Absent (3): Brown (57), Hill and Messenger

**Committee on Rules - Legislative Oversight**, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 1255**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as HB 1255** by the following vote:

Ayes (12): Bondon, Butler, Curtis, Eggleston, Fitzwater, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16) and Shumake

Noes (0)

Absent (2): Brown (94) and Wessels

**COMMITTEE CHANGES**

March 14, 2018

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Gretchen Bangert to the Special Committee to Improve the Care and Well-being of Young People.

If you have any questions, please feel free to contact my office.



Sincerely,

/s/ Todd Richardson  
Speaker of the Missouri House of Representatives  
152<sup>nd</sup> District

## COMMUNICATIONS

March 14, 2018

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
Missouri State Capitol  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

It has come to my attention that in the Journal of the House for Tuesday, March 13, 2018, Representative Josh Peters is listed as voting “aye” on the third reading vote for House Bill 1573.

Since Representative Peters has been absent with leave from the House for several weeks and participated in no other votes on March 13 before or after the vote on House Bill 1573, I believe Representative Peters’ vote on this bill was registered in error. Please take whatever corrective steps you deem appropriate.

Sincerely,

/s/ Gail McCann Beatty  
Minority Floor Leader  
District 26

The following members' presence was noted: Barnes (60), Lauer, Mitten, Phillips, Pierson Jr., and Rhoads.

## ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Thursday, March 15, 2018.

## CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-ninth Day, Tuesday, March 13, 2018, Page 1235, Line 32, by deleting the name “Peters”; and

Further correct said journal, Page 1236, Line 5, by inserting before the name “Phillips” the name “Peters”.

## COMMITTEE HEARINGS

### CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, March 15, 2018, 8:30 AM, House Hearing Room 1.

Public hearing will be held: HB 2632, HCB 20

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

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 27, 2018, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 2495, HB 1916, HB 1963, HB 1743, HB 1993

Executive session will be held: HCR 96, HB 2456, HB 2172, HB 1642, HB 2259

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

Added HB 1993.

AMENDED

### FISCAL REVIEW

Thursday, March 15, 2018, 8:30 AM, House Hearing Room 6.

Executive session will be held: HCS HB 2249, HB 1719, HCS HB 1872, HCS HB 1802, HCS HB 2171, HCS HBs 1656 & 2075, HCS HB 1443

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

Added HCS HB 1443.

AMENDED

### JOINT COMMITTEE ON LEGISLATIVE RESEARCH - PERSONNEL SUBCOMMITTEE

Monday, March 26, 2018, 3:00 PM, Room 117A (Legislative Research).

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

Personnel meeting.

The meeting will be closed pursuant to Section 610.021(3).

### RULES - ADMINISTRATIVE OVERSIGHT

Thursday, March 15, 2018, 9:00 AM, South Gallery.

Executive session will be held: HCS HB 1424, HCS HB 1435, HB 1569, HB 1626,

HCS HB 1885, HB 2117, HCS HB 2125, HCS HB 2129, HCS HB 2306, HB 2352, HB 2384,

HCS HB 2540, HCS HR 5213, HCR 55, HRB 1

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

### SPECIAL COMMITTEE ON HOMELAND SECURITY

Thursday, March 15, 2018, 8:00 AM, House Hearing Room 4.

Public hearing will be held: HB 2567, HCR 104, SB 626

Executive session will be held: HB 1711

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

Testimony pertaining to homeland security. Pursuant to Article III, Section 18 of the Missouri Constitution, and 610.021 (10), (19), (20) and (21) RSMo., portions of the meeting may be closed.

**SPECIAL COMMITTEE ON URBAN ISSUES**

Monday, March 26, 2018, 5:00 PM or upon adjournment (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 2464, HB 2745

Executive session will be held: HB 2464, HB 2745

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

**WORKFORCE DEVELOPMENT**

Thursday, March 15, 2018, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2673, HB 2666, HB 2644

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

**HOUSE CALENDAR**

**FORTY-FIRST DAY, THURSDAY, MARCH 15, 2018**

**HOUSE COMMITTEE BILLS FOR SECOND READING**

HCB 16 - Houghton

**HOUSE BILLS FOR PERFECTION**

HCS HB 2031 - Sommer

HB 1369 - Sommer

HB 1266 - Lichtenegger

HCS HB 2339 - Lynch

HB 1795 - Bernskoetter

HB 1633 - Corlew

HCS#2 HB 1973 - Wiemann

HCS HBs 2337 & 2272 - Stephens (128)

HCS HB 1574 - Rowland (155)

HB 1832 - Cornejo

HCS HB 1667 - Swan

HCS HB 1368 - Basye

HB 2183 - Bondon

HB 2039 - Fraker

HB 1516 - Wiemann

HB 1257 - Schroer

HCS HB 2105 - Frederick

HCS HB 2157 - Bahr

HB 1296 - Kelley (127)

HCS HB 2255 - Korman

HB 1499 - Dogan

HB 2231 - Ross

HB 1419 - Haefner

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HB 1275 - Kendrick  
HB 1629 - Evans  
HB 1252 - Plocher  
HCS HB 1261 - Schroer  
HB 2286 - Kelly (141)  
HCS HB 1264 - Schroer

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 1457 - Lauer  
HCS HB 2140 - Haefner  
HB 1485 - Brown (57)  
HB 2179 - Richardson

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(03/12/2018)

HB 2101 - Beard  
HB 2192 - Redmon  
HB 2221 - Franklin

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

HCR 69 - Davis  
HCR 73 - Justus  
HCR 70 - Franks Jr.

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

HCS HB 2014 - Fitzpatrick

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

HCS HB 1802, (Fiscal Review 3/12/18) - Miller  
HCS HB 1872, (Fiscal Review 3/8/18) - Johnson  
HB 1578 - Kolkmeyer  
HCS HB 1443, (Fiscal Review 3/13/18) - Eggleston  
HCS HB 1486 - Kelly (141)  
HCS HB 1388 - Gregory  
HB 1719, (Fiscal Review 3/13/18) - Grier  
HCS HBs 2277 & 1983 - Shaul (113)  
HCS HB 1828 - Houghton  
HCS HB 2127 - Frederick  
HB 1831 - Ruth  
HB 2208 - Curtman

HB 2194 - Conway (104)  
HCS HB 2171, (Fiscal Review 3/13/18) - Wood  
HCS HB 2216 - Brattin  
HCS HB 2274 - Haefner  
HCS#2 HB 1503 - Dohrman  
HB 2322 - Walker (3)  
HCS HB 2249, (Fiscal Review 3/13/18) - Wood  
HCS HBs 1656 & 2075, (Fiscal Review 3/13/18) - Cornejo  
HCS HB 1635 - Bernskoetter  
HCS HB 2265, (Fiscal Review 3/14/18), E.C. - Berry  
HCS HBs 2280, 2120, 1468 & 1616, (Fiscal Review 3/14/18) - Haefner

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HB 1429, (Fiscal Review 2/8/18) - Muntzel

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

HCS HB 1 - Fitzpatrick  
CCS SCS HCS HB 2 - Fitzpatrick  
CCS SCS HCS HB 3 - Fitzpatrick  
CCS SCS HCS HB 4 - Fitzpatrick  
CCS SCS HCS HB 5 - Fitzpatrick  
CCS SCS HCS HB 6 - Fitzpatrick  
CCS SCS HCS HB 7 - Fitzpatrick  
CCS SCS HCS HB 8 - Fitzpatrick  
CCS SCS HCS HB 9 - Fitzpatrick  
CCS SCS HCS HB 10 - Fitzpatrick  
CCS SCS HCS HB 11 - Fitzpatrick  
CCS SCS HCS HB 12 - Fitzpatrick  
SCS HCS HB 13 - Fitzpatrick  
CCS SCS HCS HB 17 - Fitzpatrick  
SCS HCS HB 18 - Fitzpatrick

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