

JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 18, 2018

The House met pursuant to adjournment.

Representative Evans in the Chair.

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 039

Alferman	Anders	Barnes 60	Basye	Beck
Bernskoetter	Black	Bondon	Brown 27	Burnett
Cookson	Curtman	DeGroot	Dinkins	Fraker
Francis	Gannon	Harris	Henderson	Houghton
Hurst	Justus	Korman	Lauer	Lichtenegger
May	Morris 140	Morse 151	Muntzel	Pfautsch
Phillips	Pogue	Redmon	Remole	Rowland 29
Taylor	Walsh	Washington	White	

NOES: 001

Curtis

PRESENT: 069

Anderson	Andrews	Austin	Bahr	Bangert
Barnes 28	Beard	Berry	Brown 57	Chipman
Christofanelli	Conway 10	Conway 104	Cross	Davis
Dohrman	Eggleston	Ellebracht	Evans	Fitzpatrick
Fitzwater	Franklin	Gregory	Grier	Haahr
Haefner	Helms	Hill	Houx	Johnson
Kendrick	Knight	Lant	Love	Lynch
Mathews	Matthiesen	McCann Beatty	McDaniel	McGaugh
Merideth 80	Miller	Mitten	Morgan	Nichols
Pietzman	Pike	Quade	Razer	Reisch
Rhoads	Rone	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Stacy	Tate	Trent
Vescovo	Walker 3	Wiemann	Mr. Speaker	

ABSENT WITH LEAVE: 052

Adams	Arthur	Baringer	Brattin	Burns
Butler	Carpenter	Corlew	Cornejo	Dogan
Ellington	Engler	Franks Jr	Frederick	Gray
Green	Hannegan	Hansen	Higdon	Kelley 127
Kelly 141	Kidd	Kolkmeier	Lavender	Marshall

1846 *Journal of the House*

McCreery	McGee	Meredith 71	Messenger	Moon
Mosley	Neely	Newman	Peters	Pierson Jr
Plocher	Rehder	Reiboldt	Revis	Roberts
Roden	Roeber	Smith 85	Spencer	Stephens 128
Stevens 46	Swan	Unsicker	Walker 74	Wessels
Wilson	Wood			

VACANCIES: 002

Speaker Pro Tem Haahr assumed the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

If we hope for what we do not see, we wait for it with patience. (Romans 8:25)

O God, creator and preserver of the world, we commend to Your loving care and wide guidance the men and women who lead our state in these times of distraction and doubt. Support and strengthen them to make decisions that will lead our people in the ways of justice, by the roads of righteousness, and along the paths of peace.

We pray for all who serve under the glorious banner of our great state. Bless all that work in this great capitol and bring them peace and insight.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Charlie Korte.

The Journal of the fifty-sixth day was approved as corrected by the following vote:

AYES: 137

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Burnett	Burns	Chipman
Christofanelli	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelly 141	Kendrick	Kidd	Knight
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Marshall	Mathews	Matthiesen	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Merideth 80
Miller	Mitten	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Nichols
Pfausch	Phillips	Pierson Jr	Pietzman	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts

Roden	Roeber	Rone	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	Washington	Wessels
White	Wiemann			

NOES: 002

McDaniel Pogue

PRESENT: 000

ABSENT WITH LEAVE: 022

Butler	Carpenter	Ellington	Evans	Gray
Green	Kelley 127	Kolkmeier	Lynch	May
Messenger	Newman	Peters	Plocher	Ross
Smith 85	Spencer	Stephens 128	Walker 74	Wilson
Wood	Mr. Speaker			

VACANCIES: 002

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

The following House Bill was read the second time:

HB 2015, to appropriate money for supplemental purposes for the expenses, grants and distributions of the Department of Economic Development to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2018.

THIRD READING OF HOUSE BILLS - INFORMAL

HCS HB 2129, relating to public awareness of organ donation, was taken up by Representative Cookson.

On motion of Representative Cookson, **HCS HB 2129** was read the third time and passed by the following vote:

AYES: 145

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Burnett	Burns	Carpenter
Chipman	Christofanelli	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Haahr	Haefner	Hannegan	Hansen	Harris

1848 *Journal of the House*

Helms	Henderson	Higdon	Hill	Houghton
Houx	Johnson	Justus	Kelley 127	Kendrick
Kidd	Knight	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Wessels	White	Wiemann	Wood	Mr. Speaker

NOES: 005

Hurst	Marshall	McDaniel	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 011

Butler	Ellington	Grier	Kelly 141	Kolkmeier
Newman	Peters	Smith 85	Walker 74	Washington
Wilson				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SCS SB 623, relating to foreclosure proceeds, was taken up by Representative Plocher.

On motion of Representative Plocher, the title of **HCS SCS SB 623** was agreed to.

On motion of Representative Plocher, **HCS SCS SB 623** was adopted.

On motion of Representative Plocher, **HCS SCS SB 623** was read the third time and passed by the following vote:

AYES: 145

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Carpenter	Chipman
Christofanelli	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Cross	Curtis	Curtman	Davis

DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	Matthiesen	May	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Merideth 80
Messenger	Miller	Mitten	Moon	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfausch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	White	Wiemann	Wood

NOES: 003

Ellington	McDaniel	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 013

Andrews	Butler	Ellebracht	Kelly 141	Newman
Peters	Shull 16	Smith 85	Swan	Walker 74
Wessels	Wilson	Mr. Speaker		

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

Speaker Richardson assumed the Chair.

HCS SB 569, relating to trusts, was taken up by Representative Fraker.

On motion of Representative Fraker, the title of **HCS SB 569** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 569, Page 1, Section 456.006, Line 13, by inserting after all of said section and line the following:

"456.985. 1. Except as otherwise provided in the terms of an instrument creating or exercising a power of appointment, sections 456.970 to 456.1135 govern powers of appointment.

2. The terms of an instrument creating or exercising a power of appointment prevail over any provisions of sections 456.970 to 456.1135 except:

(1) **The requisites for the creation of a power of appointment under subsections 1 to 4 of section 456.990;**

(2) The transferability of a power of appointment by a powerholder under subsection 1 of section 456.995;

~~[(2)]~~ (3) The limitations on the authority of a donor to extend a general power of appointment beyond the death of a powerholder under subsection 3 of section 456.995;

~~[(3)]~~ (4) The power is exclusionary if the permissible appointees of a power of appointment are not defined and limited under subsection 3 of section 456.1005;

~~[(4)]~~ (5) The requisites for the exercise of a power of appointment under section 456.1015;

~~[(5)]~~ (6) The effect of an impermissible appointment under section 456.1045;

~~[(6)]~~ (7) A general power of appointment which is presently exercisable may be reached by the creditors of the powerholder or the powerholder's estate under section 456.1100.

456.1035. 1. A powerholder of a general power of appointment that permits appointment to the powerholder or the powerholder's estate may make any appointment, including an appointment in trust or creating a new power of appointment, that the powerholder could make in disposing of the powerholder's own property.

2. A powerholder of a general power of appointment that permits appointment only to the creditors of the powerholder or of the powerholder's estate may appoint only to those creditors.

3. The powerholder of a nongeneral power may:

(1) Make an appointment in any form, including an appointment in trust, in favor of a permissible appointee;

(2) Create a general power **or nongeneral power** in a permissible appointee; or

(3) Create a nongeneral power in any person to appoint to one or more of the permissible appointees of the original nongeneral power.

456.1080. As provided by sections 469.010 to ~~[469.210]~~ **469.120**, a powerholder may disclaim all or part of a power of appointment, and a permissible appointee, appointee, or taker in default of appointment may disclaim all or part of an interest in appointive property."; and

Further amend said bill, Page 2, Section 456.1-103, Lines 16-18, by deleting all of said lines and inserting in lieu thereof the following:

(7) **"Directed trust", any trust, including a split interest trust, in which the trust instrument authorizes a trust protector to instruct or direct the trustee or that charges a trust protector with any responsibilities regarding the trust or that grants the trust protector one or more powers over the trust;**"; and

Further amend said bill and section, Page 4, Line 96, by deleting all of said line and inserting in lieu thereof the following:

~~[(29)]~~ (30) **"Trust protector", any person, group of persons, or entity not serving as a trustee and not the settlor or a beneficiary designated in a trust instrument to instruct or direct the trustee or charged in the trust instrument with any responsibilities regarding the trust or expressly granted in the trust instrument one or more powers over the trust. The term "trust protector" includes, but is not limited to, persons or entities identified in the trust instrument as trust advisors, trust directors, distribution advisors, or investment advisors;**

(31) "Trustee", includes an original, additional, and successor trustee, and a"; and

Further amend said bill and page, Section 456.4-414, Line 10, by inserting after all of said section and line the following:

"456.4-420. 1. If a trust instrument containing a no-contest clause is or has become irrevocable, an interested person may file a petition to the court for an interlocutory determination whether a particular motion, petition, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy.

2. The petition described in subsection 1 of this section shall be verified under oath. The petition may be filed by an interested person either as a separate judicial proceeding, or brought with other claims for relief in a single judicial proceeding, all in the manner prescribed generally for such proceedings under this chapter. If a

petition is joined with other claims for relief, the court shall enter its order or judgment on the petition before proceeding any further with any other claim for relief joined therein. In ruling on such a petition, the court shall consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. No evidence beyond the pleadings and the trust instrument shall be taken except as required to resolve an ambiguity in the no-contest clause.

3. An order or judgment determining a petition described in subsection 1 of this section shall have the effect set forth in subsections 4 and 5 of this section, and shall be subject to appeal as with other final judgments. If the order disposes of fewer than all claims for relief in a judicial proceeding, that order is subject to interlocutory appeal in accordance with the applicable rules for taking such an appeal. If an interlocutory appeal is taken, the court may stay the pending judicial proceeding until final disposition of said appeal on such terms and conditions as the court deems reasonable and proper under the circumstances. A final ruling on the applicability of a no-contest clause shall not preclude any later filing and adjudication of other claims related to the trust.

4. An order or judgment, in whole or in part, on a petition described in subsection 1 of this section shall result in the no-contest clause being enforceable to the extent of the court's ruling, and shall govern application of the no-contest clause to the extent that the interested person then proceeds forward with the claims described therein. In the event such an interlocutory order or judgment is vacated, reversed, or otherwise modified on appeal, no interested person shall be prejudiced by any reliance, through action, inaction, or otherwise, on the order or judgment prior to final disposition of the appeal.

5. An order or judgment shall have effect only as to the specific trust terms and factual basis recited in the petition. If claims are later filed that are materially different than those upon which the order or judgment is based, then to the extent such new claims are raised, the party in whose favor the order or judgment was entered shall have no protection from enforcement of the no-contest clause otherwise afforded by the order and judgment entered under this section.

6. For purposes of this section, a "no-contest clause" shall mean a provision in a trust instrument purporting to rescind a donative transfer to, or a fiduciary appointment of, any person, or that otherwise effects a forfeiture of some or all of an interested person's beneficial interest in a trust estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term "no-contest clause" shall also mean an "in terrorem clause".

7. A no-contest clause is not enforceable against an interested person in, but not limited to, the following circumstances:

(1) Filing a motion, petition, or other claim for relief objecting to the jurisdiction or venue of the court over a proceeding concerning a trust, or over any person joined, or attempted to be joined, in such a proceeding;

(2) Filing a motion, petition, or other claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee, provided the interested person otherwise has standing to do so under applicable law, including, but not limited to, section 456.6-603;

(3) Filing a motion, petition, or other claim for relief under chapter 475 concerning the appointment of a guardian or conservator for the settlor;

(4) Filing a motion, petition, or other claim for relief under chapter 404 concerning the settlor;

(5) Disclosure to any person of information concerning a trust instrument or that is relevant to a proceeding before the court concerning the trust instrument or property of the trust estate, unless such disclosure is otherwise prohibited by law;

(6) Filing a motion, pleading, or other claim for relief seeking approval of a nonjudicial settlement agreement concerning a trust instrument, as set forth in section 456.1-111;

(7) **Filing a motion, pleading, or other claim for relief concerning a breach of trust by a trustee including, but not limited to, a claim under section 456.10-1001. For purposes of this subdivision, "breach of trust" means a trustee's violation of the terms of a trust instrument, a violation of the trustee's general fiduciary obligations, or a trustee's violation of a duty that equity imposes on a trustee;**

(8) **Filing a motion, pleading, or other claim for relief concerning removal of a trustee including, but not limited to, a claim for removal under section 456.7-706; and**

(9) To the extent a petition under subsection 1 of this section is limited to the procedure and purpose described therein.

8. In any proceeding brought under this section, the court may award costs, expenses, and attorneys' fees to any party, as provided in section 456.10-1004."; and

Further amend said bill, Pages 5-8, Section 456.8-808, Lines 1-116, by deleting all of said lines and inserting in lieu thereof the following:

"456.8-808. 1. While a trust is revocable, the trustee may follow a direction of the settlor that is contrary to the terms of the trust.

2. A trust instrument may provide for ~~[the appointment of a trust protector. For purposes of this section, a "trust protector", whether referred to in the trust instrument by that name or by some other name, is a person, other than the settlor, a trustee, or a beneficiary, who is expressly granted in the trust instrument one or more powers over the trust]~~ **one or more persons, not then serving as a trustee and not the settlor or a beneficiary, to be given any powers over the trust as expressly granted in the trust instrument. Any such person may be identified and appointed as a trust protector or similar term. Whenever a trust instrument names, appoints, authorizes, or otherwise designates a trust protector, the trust shall be deemed a directed trust.**

3. A trust protector appointed in the trust instrument shall have only the powers granted to the trust protector by the express terms of the trust instrument, and a trust protector is only authorized to act within the scope of the authority expressly granted in the trust instrument. Without limiting the authority of the settlor to grant powers to a trust protector, the express powers that may be granted include, but are not limited to, the following:

(1) Remove and appoint a trustee **or a trust protector** or name a successor trustee or trust protector;

(2) Modify or amend the trust instrument to:

(a) Achieve favorable tax status or respond to changes in the Internal Revenue Code or state law, or the rulings and regulations under such code or law;

(b) Reflect legal changes that affect trust administration;

(c) Correct errors or ambiguities that might otherwise require court construction; or

(d) Correct a drafting error that defeats a grantor's intent;

(3) Increase, decrease, modify, or restrict the interests of the beneficiary or beneficiaries of the trust;

(4) Terminate the trust in favor of the beneficiary or beneficiaries of the trust;

(5) Change the applicable law governing the trust and the trust situs; or

(6) Such other powers as are expressly granted to the trust protector in the trust instrument.

4. Notwithstanding any provision in the trust instrument to the contrary, a trust protector shall have no power to modify a trust to:

(1) Remove a requirement from a trust created to meet the requirements of 42 U.S.C. Section 1396p(d)(4) to pay back a governmental entity for benefits provided to the permissible beneficiary of the trust at the death of that beneficiary; or

(2) Reduce or eliminate an income interest of the income beneficiary of any of the following types of trusts:

(a) A trust for which a marital deduction has been taken for federal tax purposes under Section 2056 or 2523 of the Internal Revenue Code or for state tax purposes under any comparable provision of applicable state law, during the life of the settlor's spouse;

(b) A charitable remainder trust under Section 664 of the Internal Revenue Code, during the life of the noncharitable beneficiary;

(c) A grantor retained annuity trust under Section 2702 of the Internal Revenue Code, during any period in which the settlor is a beneficiary; or

(d) A trust for which an election as a qualified Sub-Chapter S Trust under Section 1361(d) of the Internal Revenue Code is currently in place.

5. Except to the extent otherwise provided in a trust instrument specifically referring to this subsection, the trust protector shall not exercise a power in a way that would result in a taxable gift for federal gift tax purposes or cause the inclusion of any assets of the trust in the trust protector's gross estate for federal estate tax purposes.

6. Except to the extent otherwise provided in the trust instrument and in subsection 7 of this section, and notwithstanding any provision of sections 456.1-101 to 456.11-1106 to the contrary:

(1) A trust protector shall act in a fiduciary capacity in carrying out the powers granted to the trust protector in the trust instrument, and shall have such duties to the beneficiaries, the settlor, or the trust as set forth in the trust instrument, **provided that the trust instrument may provide that the trust protector shall act in a nonfiduciary capacity.** A trust protector is not a trustee, and is not liable or accountable as a trustee when performing or declining to perform the express powers given to the trust protector in the trust instrument. A trust protector is not liable for the acts or omissions of any fiduciary or beneficiary under the trust instrument;

(2) A trust protector is exonerated from any and all liability for the trust protector's acts or omissions, or arising from any exercise or nonexercise of the powers expressly conferred on the trust protector in the trust

instrument, unless it is established by a preponderance of the evidence that the acts or omissions of the trust protector were done or omitted in breach of the trust protector's duty, in bad faith or with reckless indifference;

(3) A trust protector is authorized to exercise the express powers granted in the trust instrument at any time and from time to time after the trust protector acquires knowledge of their appointment as trust protector and of the powers granted. **The trust protector may take any action, judicial or otherwise, necessary to carry out the duties given to the trust protector in the trust instrument;**

(4) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reasonable compensation, and reimbursement of the reasonable costs and expenses incurred, in determining whether to carry out, and in carrying out, the express powers given to the trust protector in the trust instrument;

(5) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reimbursement of the reasonable costs and expenses, including attorney's fees, of defending any claim made against the trust protector arising from the acts or omissions of the trust protector acting in that capacity unless it is established by clear and convincing evidence that the trust protector was acting in bad faith or with reckless indifference; and

(6) The express powers granted in the trust instrument shall not be exercised by the trust protector for the trust protector's own personal benefit.

7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee's actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument **unless the trust instrument expressly provides otherwise. In carrying out any written directions given to the trustee by the trust protector concerning actual or proposed investment decisions, the trustee shall not be subject to the provisions of sections 469.900 to 469.913. For purposes of this subsection, "investment decisions" means, with respect to any investment, decisions to retain, purchase, sell, exchange, tender, or otherwise engage in transactions affecting the ownership of investments or rights therein and, with respect to nonpublicly traded investments, the valuation thereof.**

8. **Any trustee of a directed trust shall not be accountable under the law or equity for any act or omission of a trust protector and shall stand absolved from liability for executing the decisions or instructions from a trust protector or for monitoring the actions or inactions of a trust protector. A trustee shall take reasonable steps to facilitate the activity of a trust protector in a directed trust.** A trustee shall carry out the written directions given to the trustee by a trust protector acting within the scope of the powers expressly granted to the trust protector in the trust instrument. Except ~~[in cases of bad faith or reckless indifference on the part of the trustee, or]~~ as otherwise provided in the trust instrument, the trustee shall not be liable for any loss resulting directly or indirectly from any act taken or omitted as a result of the written direction of the trust protector or the failure of the trust protector to provide consent. Except as otherwise provided in the trust instrument, the trustee shall have no duty to monitor the conduct of the trust protector, provide advice to or consult with the trust protector, or communicate with or warn or apprise any beneficiary concerning instances in which the trustee would or might have exercised the trustee's own discretion in a manner different from the manner directed by the trust protector. **Except as otherwise provided in the trust instrument, any actions taken by the trustee at the trust protector's direction shall be deemed to be administrative actions taken by the trustee solely to allow the trustee to carry out the instructions of the trust protector and shall not be deemed to constitute an act by the trustee to monitor the trust protector or otherwise participate in actions within the scope of the trust protector's authority.**

9. Except to the extent otherwise expressly provided in the trust instrument, the trust protector shall be entitled to receive information regarding the administration of the trust as follows:

(1) Upon the request of the trust protector, unless unreasonable under the circumstances, the trustee shall promptly provide to the trust protector any and all information related to the trust that may relate to the exercise or nonexercise of a power expressly granted to the trust protector in the trust instrument. The trustee has no obligation to provide any information to the trust protector except to the extent a trust protector requests information under this section;

(2) The request of the trust protector for information under this section shall be with respect to a single trust that is sufficiently identified to enable the trustee to locate the records of the trust; and

(3) If the trustee is bound by any confidentiality restrictions with respect to an asset of a trust, a trust protector who requests information under this section about such asset shall agree to be bound by the confidentiality restrictions that bind the trustee before receiving such information from the trustee.

10. A trust protector may resign by giving thirty days' written notice to the trustee and any successor trust protector. A successor trust protector, if any, shall have all the powers expressly granted in the trust instrument to the resigning trust protector unless such powers are expressly modified for the successor trust protector.

11. A trust protector of a trust having its principal place of administration in this state submits personally to the jurisdiction of the courts of this state during any period that the principal place of administration of the trust is located in this state and the trust protector is serving in such capacity. **The trust instrument may also provide that a trust protector is subject to the personal jurisdiction of the courts of this state as a condition of appointment.**"; 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.

On motion of Representative Fraker, **HCS SB 569, as amended**, was adopted.

On motion of Representative Fraker, **HCS SB 569, as amended**, was read the third time and passed by the following vote:

AYES: 151

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	May	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Wessels	White	Wiemann	Wood
Mr. Speaker				

NOES: 004

Curtis	Ellington	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 006

Newman Peters Rone Walker 74 Washington
Wilson

VACANCIES: 002

Speaker Richardson declared the bill passed.

SS SCS SB 549, SS SCS SB 593 and SB 594 were placed on the Informal Calendar.

SB 573, relating to income tax deductions for military personnel, was taken up by Representative Davis.

On motion of Representative Davis, the title of **SB 573**, relating to the armed services, was agreed to.

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

House Amendment No. 1

AMEND Senate Bill No. 573, Page 1, The Title, Lines 2-3, by deleting the words "income tax deductions for military personnel" and inserting in lieu thereof the words "the armed services"; and

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

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

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

House Amendment No. 2

AMEND Senate Bill No. 573, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"8.012. **1.** At all state buildings and upon the grounds thereof, the board of public buildings ~~may~~ **shall** accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state building does not possess a POW/MIA flag, the board shall reach out to local veterans organizations to obtain a donated flag.

3. If the state building is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state building shall be exempt from this section."; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting immediately after all of said section and line the following:

"253.048. **1.** Within the state parks, the department [~~may~~] **shall** accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state park does not possess a POW/MIA flag, the department shall reach out to local veterans organizations to obtain a donated flag.

3. If the state park is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state park shall be exempt from this section."; and

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

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

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

House Amendment No. 3

AMEND Senate Bill No. 573, Page 1, Section A, Line 2, by inserting after all of said line the following:

"30.750. As used in sections 30.750 to 30.765, the following terms mean:

(1) "Eligible agribusiness", a person engaged in the processing or adding of value to agricultural products produced in Missouri;

(2) "Eligible alternative energy consumer", an individual who wishes to borrow moneys for the purchase, installation, or construction of facilities or equipment related to the production of fuel or power primarily for the individual's own use from energy sources other than fossil fuels, including but not limited to solar, hydroelectric, wind, and qualified biomass;

(3) "Eligible alternative energy operation", a business enterprise engaged in the production of fuel or power from energy sources other than fossil fuels, including but not limited to solar, hydroelectric, wind, and qualified biomass. Such business enterprise shall conform to the characteristics of paragraphs (a), (b), and (d) of subdivision (6) of this section;

(4) "Eligible beginning farmer":

(a) For any beginning farmer who seeks to participate in the linked deposit program alone, a farmer who:

a. Is a Missouri resident;

b. Wishes to borrow for a farm operation located in Missouri;

c. Is at least eighteen years old; and

d. In the preceding five years has not owned, either directly or indirectly, farm land greater than fifty percent of the average size farm in the county where the proposed farm operation is located or farm land with an appraised value greater than four hundred fifty thousand dollars. A farmer who qualifies as an eligible farmer under this provision may utilize the proceeds of a linked deposit loan to purchase agricultural land, farm buildings, new and used farm equipment, livestock and working capital;

(b) For any beginning farmer who is participating in both the linked deposit program and the beginning farmer loan program administered by the Missouri agriculture and small business development authority, a farmer who:

a. Qualifies under the definition of a beginning farmer utilized for eligibility for federal tax-exempt financing, including the limitations on the use of loan proceeds; and

b. Meets all other requirements established by the Missouri agriculture and small business development authority;

(5) "Eligible facility borrower", a borrower qualified under section 30.860 to apply for a reduced-rate loan under sections 30.750 to 30.765;

(6) "Eligible farming operation", any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010 that has all of the following characteristics:

(a) Is headquartered in this state;

(b) Maintains offices, operating facilities, or farming operations and transacts business in this state;

(c) Employs less than ten employees;

- (d) Is organized for profit;
- (7) "Eligible governmental entity", any political subdivision of the state seeking to finance capital improvements, capital outlay, or other significant programs through an eligible lending institution;
- (8) "Eligible higher education institution", any approved public or private institution as defined in section 173.205;
- (9) "Eligible job enhancement business", a new, existing, or expanding firm operating in Missouri, or as a condition of accepting the linked deposit, will locate a facility or office in Missouri associated with said linked deposit, which employs ten or more employees in Missouri on a yearly average and which, as nearly as possible, is able to establish or retain at least one job in Missouri for each fifty thousand dollars received from a linked deposit loan except when the applicant can demonstrate significant costs for equipment, capital outlay, or capital improvements associated with the physical expansion, renovation, or modernization of a facility or equipment. In such cases, the maximum amount of the linked deposit shall not exceed fifty thousand dollars per job created or retained plus the initial cost of the physical expansion, renovation or capital outlay;
- (10) "Eligible lending institution", a financial institution that is eligible to make commercial or agricultural or student loans or discount or purchase such loans, is a public depository of state funds or obtains its funds through the issuance of obligations, either directly or through a related entity, eligible for the placement of state funds under the provisions of Section 15, Article IV, Constitution of Missouri, and agrees to participate in the linked deposit program;
- (11) "Eligible livestock operation", any person engaged in production of livestock or poultry in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010;
- (12) "Eligible locally owned business", any person seeking to establish a new firm, partnership, cooperative company, or corporation that shall retain at least fifty-one percent ownership by residents in a county in which the business is headquartered, that consists of the following characteristics:
 - (a) The county has a median population of twelve thousand five hundred or less; and
 - (b) The median income of residents in the county are equal to or less than the state median income; or
 - (c) The unemployment rate of the county is equal to or greater than the state's unemployment rate;
- (13) "Eligible marketing enterprise", a business enterprise operating in this state which is in the process of marketing its goods, products or services within or outside of this state or overseas, which marketing is designed to increase manufacturing, transportation, mining, communications, or other enterprises in this state, which has proposed its marketing plan and strategy to the department of economic development and which plan and strategy has been approved by the department for purposes of eligibility pursuant to sections 30.750 to 30.765. Such business enterprise shall conform to the characteristics of paragraphs (a), (b) and (d) of subdivision (6) of this section and also employ less than twenty-five employees;
- (14) "Eligible multitenant development enterprise", a new enterprise that develops multitenant space for targeted industries as determined by the department of economic development and approved by the department for the purposes of eligibility pursuant to sections 30.750 to 30.765;
- (15) "Eligible residential property developer", an individual who purchases and develops a residential structure of either two or four units, if such residential property developer uses and agrees to continue to use, for at least the five years immediately following the date of issuance of the linked deposit loan, one of the units as his principal residence or if such person's principal residence is located within one-half mile from the developed structure and such person agrees to maintain the principal residence within one-half mile of the developed structure for at least the five years immediately following the date of issuance of the linked deposit loan;
- (16) "Eligible residential property owner", a person, firm or corporation who purchases, develops or rehabilitates a multifamily residential structure;
- (17) "Eligible small business", a person engaged in an activity with the purpose of obtaining, directly or indirectly, a gain, benefit or advantage and which conforms to the characteristics of paragraphs (a), (b) and (d) of subdivision (6) of this section, and also employs less than one hundred employees **or a veteran-owned small business as defined in subdivision (19) of this section**;
- (18) "Eligible student borrower", any person attending, or the parent of a dependent undergraduate attending, an eligible higher education institution in Missouri who may or may not qualify for need-based student financial aid calculated by the federal analysis called Congressional Methodology Formula pursuant to 20 U.S.C. 1078, as amended (the Higher Education Amendments of 1986);
- (19) **"Eligible veteran-owned small business", any business owned by an honorably discharged veteran and Missouri resident who has agreed to locate his or her business in Missouri for a minimum of three years and employs less than one hundred employees, a majority of whom are Missouri residents;**

(20) "Eligible water supply system", a water system which serves fewer than fifty thousand persons and which is owned and operated by:

(a) A public water supply district established pursuant to chapter 247; or

(b) A municipality or other political subdivision; or

(c) A water corporation; and which is certified by the department of natural resources in accordance with its rules and regulations to have suffered a significant decrease in its capacity to meet its service needs as a result of drought;

~~[(20)]~~ (21) "Farming", using or cultivating land for the production of agricultural crops, livestock or livestock products, forest products, poultry or poultry products, milk or dairy products, or fruit or other horticultural products;

~~[(24)]~~ (22) "Linked deposit", a certificate of deposit, or in the case of production credit associations, the subscription or purchase outright of obligations described in Section 15, Article IV, Constitution of Missouri, placed by the state treasurer with an eligible lending institution at rates otherwise provided by law in section 30.758, provided the institution agrees to lend the value of such deposit, according to the deposit agreement provided in sections 30.750 to 30.765, to eligible multitenant development enterprises, eligible small businesses, eligible alternative energy operations, eligible alternative energy consumers, eligible locally owned businesses, farming operations, eligible job enhancement businesses, eligible marketing enterprises, eligible residential property developers, eligible residential property owners, eligible governmental entities, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible student borrowers, eligible facility borrowers, or eligible water supply systems at below the present borrowing rate applicable to each multitenant development enterprise, small business, alternative energy operation, alternative energy consumer, farming operation, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, or supply system at the time of the deposit of state funds in the institution;

~~[(22)]~~ (23) "Market rate", the interest rate more specifically described in subsection 6 of section 30.260;

~~[(23)]~~ (24) "Professional forester", any individual who holds a bachelor of science degree in forestry from a regionally accredited college or university with a minimum of two years of professional forest management experience;

~~[(24)]~~ (25) "Qualified biomass", any agriculture-derived organic material or any wood-derived organic material harvested in accordance with a site-specific forest management plan focused on long-term forest sustainability developed by a professional forester and qualified, in consultation with the conservation commission, by the agriculture and small business development authority;

~~[(25)]~~ (26) "Water corporation", as such term is defined in section 386.020;

~~[(26)]~~ (27) "Water system", as such term is defined in section 386.020.

30.756. 1. An eligible lending institution that desires to receive a linked deposit shall accept and review applications for linked deposit loans from eligible multitenant enterprises, eligible farming operations, eligible alternative energy consumers, eligible alternative energy operations, eligible locally owned businesses, eligible small businesses, eligible job enhancement businesses, eligible marketing enterprises, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, eligible residential property developers, eligible residential property owners, eligible governmental entities, eligible student borrowers, eligible facility borrowers, and eligible water supply systems. An eligible residential property owner shall certify on his or her loan application that the reduced rate loan will be used exclusively to purchase, develop or rehabilitate a multifamily residential property. The lending institution shall apply all usual lending standards to determine the creditworthiness of each eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entities, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system. No linked deposit loan made to any eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible livestock operation, eligible agribusiness, eligible beginning farmer, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible student borrower, eligible water supply system, or eligible small business shall exceed a dollar limit determined by the state treasurer in the state treasurer's best judgment, except as otherwise limited. Any link deposit loan made to an eligible facility borrower shall be in accordance with the loan amount and loan term requirements in section 30.860.

2. An eligible farming operation, small business or job enhancement business shall certify on its loan application that the reduced rate loan will be used exclusively for necessary production expenses or the expenses listed in subsection 2 of section 30.753 or the refinancing of an existing loan for production expenses or the expenses listed in subsection 2 of section 30.753 of an eligible farming operation, small business or job enhancement business. Whoever knowingly makes a false statement concerning such application is guilty of a class A misdemeanor. An eligible water supply system shall certify on its loan application that the reduced rate loan shall be used exclusively to pay the costs of upgrading or repairing an existing water system, constructing a new water system, or making other capital improvements to a water system which are necessary to improve the service capacity of the system.

3. In considering which eligible farming operations should receive reduced-rate loans, the eligible lending institution shall give priority to those farming operations which have suffered reduced yields due to drought or other natural disasters and for which the receipt of a reduced-rate loan will make a significant contribution to the continued operation of the recipient farming operation.

4. In considering which eligible small businesses should receive reduced-rate loans, the eligible lending institution shall give priority to those small businesses that are owned by veterans.

5. The eligible financial institution shall forward to the state treasurer a linked deposit loan package, in the form and manner as prescribed by the state treasurer. The package shall include such information as required by the state treasurer, including the amount of each loan requested. The institution shall certify that each applicant is an eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system, and shall, for each eligible multitenant development enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system, certify the present borrowing rate applicable.

~~[5-]~~ 6. The eligible lending institution shall be responsible for determining if a student borrower is an eligible student borrower. A student borrower shall be eligible for an initial or renewal reduced-rate loan only if, at the time of the application for the loan, the student is a citizen or permanent resident of the United States, a resident of the state of Missouri as defined by the coordinating board for higher education, is enrolled or has been accepted for enrollment in an eligible higher education institution, and establishes that the student has financial need. In considering which eligible student borrowers may receive reduced-rate loans, the eligible lending institution may give priority to those eligible student borrowers whose income, or whose family income, if the eligible student borrower is a dependent, is such that the eligible student borrower does not qualify for need-based student financial aid pursuant to 20 U.S.C. 1078, as amended (the Higher Education Amendments of 1986). The eligible lending institution shall require the eligible student borrower to document that the student has applied for and has obtained all need-based student financial aid for which the student is eligible prior to application for a reduced-rate loan pursuant to this section. In no case shall the combination of all financial aid awarded to any student in any particular enrollment period exceed the total cost of attendance at the institution in which the student is enrolled. No eligible lending institution shall charge any additional fees, including but not limited to an origination, service or insurance fee on any loan agreement under the provisions of sections 30.750 to 30.765.

~~[6-]~~ 7. The eligible lending institution making an initial loan to an eligible student borrower may make a renewal loan or loans to the student. The total of such reduced-rate loans from eligible lending institutions made pursuant to this section to any individual student shall not exceed the cumulative totals established by 20 U.S.C. 1078, as amended. An eligible student borrower shall certify on his or her loan application that the reduced-rate loan shall be used exclusively to pay the costs of tuition, incidental fees, books and academic supplies, room and board and other fees directly related to enrollment in an eligible higher education institution. The eligible lending institution shall make the loan payable to the eligible student borrower and the eligible higher education institution as co-payees. The method of repayment of the loan shall be the same as for repayment of loans made pursuant to sections 173.095 to 173.186.

~~[7-]~~ 8. Beginning August 28, 2005, in considering which eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible

residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system should receive reduced-rate loans, the eligible lending institution shall give priority to an eligible multitenant enterprise, eligible farming operation, eligible alternative energy operation, eligible alternative energy consumer, eligible locally owned business, eligible small business, eligible job enhancement business, eligible marketing enterprise, eligible residential property developer, eligible residential property owner, eligible governmental entity, eligible agribusiness, eligible beginning farmer, eligible livestock operation, eligible student borrower, eligible facility borrower, or eligible water supply system that has not previously received a reduced-rate loan through the linked deposit program. However, nothing shall prohibit an eligible lending institution from making a reduced-rate loan to any entity that previously has received such a loan, if such entity otherwise qualifies for such a reduced-rate loan."; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

"620.3250. 1. Any veteran who receives a small business loan through the state treasurer's linked deposit program set forth in sections 30.750 to 30.765 shall also be subject to the provisions of this section.

2. After receiving a loan from an eligible lending institution, as that term is defined in subdivision (10) of section 37.750, the owner of a veteran-owned small business shall complete a boots-to-business program that is approved by the department.

3. After receiving a loan from an eligible lending institution, as that term is defined in subdivision (10) of section 37.750, the owner of a veteran-owned small business will be assigned a mentor for the three hundred sixty five days following the date of approval. The owner shall meet with his or her mentor at least once every ninety days.

4. The department may adopt rules in establishing or approving boots-to-business programs under subsection 2 of this section and mentor programs under subsection 3 of this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.";
and

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

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

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

House Amendment No. 4

AMEND Senate Bill No. 573, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

"620.515. 1. This section shall be known and may be cited as the "Show-Me Heroes" program, the purpose of which is to:

(1) Assist the spouse of an active duty National Guard or reserve component service member reservist and active duty United States military personnel to address immediate needs and employment in an attempt to keep the family from falling into poverty while the primary income earner is on active duty, and during the [~~one year~~] **five-year** period following discharge from deployment; and

(2) Assist returning National Guard troops or reserve component service member reservists and recently separated United States military personnel with finding work in situations where an individual needs to rebuild business clientele or where an individual's job has been eliminated while such individual was deployed, or where the individual otherwise cannot return to his or her previous employment.

2. Subject to appropriation, the department of economic development shall operate the Show-Me heroes program through existing programs. Eligibility for the program shall be based on the following criteria:

- (1) Eligible participants in the program shall be those families where:
 - (a) The primary income earner was called to active duty in defense of the United States for a period of more than four months;
 - (b) The family's primary income is no longer available;
 - (c) The family is experiencing significant hardship due to financial burdens; and
 - (d) The family has no outside resources available to assist with such hardships;
- (2) Services that may be provided to the family will be aimed at ameliorating the immediate crisis and providing a path for economic stability while the primary income is not available due to the active military commitment. Services shall be made available up to ~~[one year]~~ **five years** following discharge from deployment. Services may include, but not be limited to the following:
 - (a) Financial assistance to families facing financial crisis from overdue bills;
 - (b) Help paying day care costs to pursue training and or employment;
 - (c) Help covering the costs of transportation to training and or employment;
 - (d) Vocational evaluation and vocational counseling to help the individual choose a visible employment goal;
 - (e) Vocational training to acquire or upgrade skills needed to be marketable in the workforce;
 - (f) Paid internships and subsidized employment to train on the job; and
 - (g) Job placement assistance for those who don't require skills training.

3. ~~[The department shall structure any contract such that payment will be based on delivering the services described in this section as well as performance to guarantee the greatest possible effectiveness of the program.]~~

4.] The department shall 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, 2012, shall be invalid and void."; and

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

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

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

House Amendment No. 5

AMEND Senate Bill No. 573, Page 2, Section 143.175, Line 32, by inserting after all of said section and line the following:

"285.250. 1. A private, nonpublic employer may grant preference to a veteran in hiring and promoting employees.

2. A private, nonpublic employer may grant preference in hiring and promotion to a spouse of a disabled veteran who has a service-connected permanent and total disability or to a surviving spouse of a deceased veteran. For the purposes of this subsection, a "disabled veteran" means a person who has a compensable, service-connected disability as adjudicated by the United States Veterans Administration or by the retirement board of one of the branches of the armed forces.

3. Granting preference under subsections 1 and 2 of this section shall not violate any state equal employment opportunity law."; and

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

Representative Barnes (60) assumed the Chair.

Representative Engler assumed the Chair.

Representative Franks Jr offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to Senate Bill No. 573, Page 1, Line 1, by inserting after the number "573," the following:

"Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"42.380. 1. This section shall be known and may cited as "The Veterans' Bill of Rights".

2. Veterans in this state have a right to:

(1) Receive assistance from a local veterans service officer in completing applications for state and federal benefits;

(2) Receive counseling from veterans service officers and receive information about compensation, pensions, education benefits, life insurance medical benefits, state benefits, and burial benefits;

(3) Preference in public employment as described in section 36.220;

(4) Be treated with dignity and respect and to receive accurate, courteous, and timely service; and

(5) Receive fair and equal treatment without regard to sex, race, religion, handicap, ethnicity, or national origin."; and

Further amend said bill,"; and

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

On motion of Representative Franks Jr, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 127

Adams	Alferman	Anderson	Andrews	Arthur
Bahr	Bangert	Baringer	Barnes 28	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brown 27	Burnett	Burns	Butler	Carpenter
Christofanelli	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Ellebracht	Ellington
Engler	Evans	Fitzpatrick	Fitzwater	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Johnson
Justus	Kendrick	Knight	Lant	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McDaniel	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Nichols	Pfausch	Pietzman
Pike	Plocher	Quade	Redmon	Rehder
Reiboldt	Remole	Revis	Rhoads	Roberts
Roden	Ross	Rowland 155	Rowland 29	Runions

Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Unsicker	Vescovo	Walker 3	Washington	Wessels
White	Wood			

NOES: 012

Basye	Cross	Eggleston	Hurst	Marshall
Moon	Pogue	Reisch	Roeber	Trent
Walsh	Wiemann			

PRESENT: 000

ABSENT WITH LEAVE: 022

Anders	Austin	Barnes 60	Brattin	Brown 57
Chipman	Fraker	Kelley 127	Kelly 141	Kidd
Kolkmeyer	Korman	Lauer	Newman	Peters
Phillips	Pierson Jr	Razer	Rone	Walker 74
Wilson	Mr. Speaker			

VACANCIES: 002

On motion of Representative Schroer, **House Amendment No. 5, as amended**, was adopted.

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

House Amendment No. 6

AMEND Senate Bill No. 573, Page 1, Section A, Line 2, by inserting after all of said line the following:

"41.1010. 1. There is hereby established the "Missouri Military Preparedness and Enhancement Commission". The commission shall have as its purpose the design and implementation of measures intended to protect, retain, and enhance the present and future mission capabilities at the military posts or bases within the state. The commission shall consist of nine members:

- (1) Five members to be appointed by the governor;
- (2) Two members of the house of representatives, one appointed by the speaker of the house of representatives, and one appointed by the minority floor leader;
- (3) Two members of the senate, one appointed by the president pro tempore, and one appointed by the minority floor leader;
- (4) The director of the department of economic development or the director's designee, ex officio;
- (5) The chairman of the Missouri veterans' commission or the chairman's designee, ex officio.

No more than three of the five members appointed by the governor shall be of the same political party. To be eligible for appointment by the governor, a person shall have demonstrated experience in economic development, the defense industry, military installation operation, environmental issues, finance, local government, or the use of air space for future military missions. Appointed members of the commission shall serve three-year terms, except that of the initial appointments made by the governor, two shall be for one-year terms, two shall be for two-year terms, and one shall be for a three-year term. No appointed member of the commission shall serve more than six years total. A vacancy occurs if a legislative member leaves office for any reason. Any vacancy on the commission shall be filled in the same manner as the original appointment.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties.
3. A chair of the commission shall be selected by the members of the commission.
4. The commission shall meet at least quarterly and at such other times as the chair deems necessary.
5. The commission shall be funded by an appropriation limited to that purpose. Any expenditure constituting more than ten percent of the commission's annual appropriation shall be based on a competitive bid process.
6. The commission shall:
 - (1) Advise the governor and the general assembly on military issues and economic and industrial development related to military issues;
 - (2) Make recommendations regarding:
 - (a) Developing policies and plans to support the long-term viability and prosperity of the military, active and retiree, and civilian military employees, in this state, including promoting strategic regional alliances that may extend over state lines;
 - (b) Developing methods to improve private and public employment opportunities for former members of the military and their families residing in this state; and
 - (c) Developing methods to assist defense-dependent communities in the design and execution of programs that enhance a community's relationship with military installations and defense-related businesses;
 - (3) Provide information to communities, the general assembly, the state's congressional delegation, and state agencies regarding federal actions affecting military installations and missions;
 - (4) Serve as a clearinghouse for:
 - (a) Defense economic adjustment and transition information and activities; and
 - (b) Information concerning the following:
 - a. Issues related to the operating costs, missions, and strategic value of federal military installations located in the state;
 - b. Employment issues for communities that depend on defense bases and in defense-related businesses; and
 - c. Defense strategies and incentive programs that other states are using to maintain, expand, and attract new defense contractors;
 - (5) Provide assistance to communities that have experienced a defense-related closure or realignment;
 - (6) Assist communities in the design and execution of programs that enhance a community's relationship with military installations and defense-related businesses, including regional alliances that may extend over state lines;
 - (7) Assist communities in the retention and recruiting of defense-related businesses, including fostering strategic regional alliances that may extend over state lines;
 - (8) Prepare a biennial strategic plan that:
 - (a) Fosters the enhancement of military value of the contributions of Missouri military installations to national defense strategies;
 - (b) Considers all current and anticipated base realignment and closure criteria; and
 - (c) Develops strategies to protect the state's existing military missions and positions the state to be competitive for new and expanded military missions;
 - (9) Encourage economic development in this state by fostering the development of industries related to defense affairs.
7. **The commission shall evaluate and approve or reject, as it deems necessary, all applications presented to it for grants of funding through the department of economic development's Missouri military community reinvestment grant program, as authorized in section 620.3300. The commission shall develop procedures with the department of economic development that will govern its consideration of all applications.**
8. The commission shall prepare and present an annual report to the governor and the general assembly by December thirty-first of each year.
- [8-] 9. The department of economic development shall furnish administrative support and staff for the effective operation of the commission."; and

Further amend said bill, Page 2, Section 143.175, Line 32, by inserting after all of said line the following:

"620.3300. 1. This section shall be known and may be cited as the "Missouri Military Community Reinvestment Program Act".

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

(1) "Commission", the Missouri military preparedness and enhancement commission authorized under section 41.1010;

(2) "Community-based organization", a Missouri corporation in good standing with the state that is organized under chapter 355 and which has as its primary or substantial purposes the support and sustainment of a military installation or installations;

(3) "Department", the department of economic development;

(4) "Eligible applicant", any community-based organization or local government located in a military community;

(5) "Grantee", the recipient of a Missouri military community reinvestment program grant;

(6) "Local government", any Missouri county, city, town, or village;

(7) "Military community", any county, city, town, or village or defined combination thereof that is heavily dependent on military employment and economic activity provided by a military installation;

(8) "Military installation", a facility subject to the custody, jurisdiction, or administration of any United States Department of Defense component. This term includes, but is not limited to, military reservations, installations, bases, posts, camps, stations, arsenals, vessels or ships, or laboratories where the Department of Defense or a component thereof has operation responsibility for facility security and defense;

(9) "Program", the Missouri military community reinvestment program created by this section.

3. There is hereby established the Missouri military community reinvestment program in the department of economic development. Its purpose shall be to assist military communities in supporting and sustaining their installations, to encourage the communities to initiate coordinated response programs and action plans in advance of future federal government realignment and closure decisions, and to support community efforts to attract new or expanded military missions.

4. (1) There is hereby created in the state treasury the "Missouri Military Community Reinvestment Grant Program Fund", which shall consist of moneys collected under this section. 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 administration of this section. The amount in such fund shall not exceed three hundred thousand dollars. Moneys in the fund in excess of three hundred thousand dollars shall be invested by the state treasurer and any income therefrom shall be deposited to the credit of the general revenue fund.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) 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.

5. The department shall implement the program as provided in this section. The department and the commission shall invite public comments on how the program should be administered and shall jointly develop and establish procedures for the solicitation, evaluation, and approval of grant applications received from eligible applicants.

6. The department shall evaluate each application and make recommendations to the commission, which shall have the authority to approve or reject any application so recommended. Upon approval by the commission, the department shall administer grant awards, including the tracking and monitoring of grantee administration of the grant funds and whether grantees have achieved the goals set forth in their grant applications.

7. Grants provided by this program shall not exceed three hundred thousand dollars per year. The eligible amount for grants shall include the following match requirements:

(1) For an eligible applicant in operation for five or more years, one dollar of state grant funds may be provided for every one dollar of funds provided or raised by the eligible applicant, including the value of in-kind services, supplies, or equipment; or

(2) For an eligible applicant in operation for fewer than five years, two dollars of state grant funds may be provided for every one dollar of funds provided or raised by the eligible applicant, including the value of in-kind services, supplies, or equipment.

8. Applications for grants under this section shall include a coordinated program of work or a plan of action delineating how the project shall be administered and accomplished, which shall include a plan for ensuring close cooperation between civilian and military authorities in the conduct of the funded activities and a plan for public involvement. Uses for the grants may include, but are not limited to, the following activities:

(1) Developing and implementing public-to-public partnerships with military installations, including agreements that reduce installation costs and increase funding available for mission performance;

(2) Developing local or regional marketing plans, techniques, and activities, including those that communicate the nature and value of military installations and military service;

(3) Implementing programs to assist with diversification of the economy of the military installation community by increasing nondefense economic development and employment;

(4) Performing in-depth research and analysis regarding local or regional employment, housing, infrastructure, education, healthcare, and other factors that affect the attractiveness of the community for future military investments;

(5) Leading or participating in programs or activities to develop or improve the quality of life in military communities, including the areas of education, transportation, health care, and infrastructure development and transportation; and

(6) Developing plans for the reuse of closed or realigned military installations or facilities, including any plans necessary for infrastructure improvements needed to facilitate related marketing activities.

9. The department may promulgate rules to assist in the implementation of the provisions of this section, including rules on behalf of the commission, if necessary. 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."; and

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

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

On motion of Representative Davis, **SB 573, as amended**, was read the third time and passed by the following vote:

AYES: 139

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brown 27	Brown 57	Burnett
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Johnson
Justus	Kelly 141	Kendrick	Knight	Korman
Lant	Lavender	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McCreery
McDaniel	McGaugh	McGee	Meredith 71	Merideth 80
Messenger	Miller	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Nichols	Pfautsch
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85

Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walsh	Washington	Wessels
White	Wiemann	Wood	Mr. Speaker	

NOES: 004

Hurst	Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 018

Austin	Barnes 60	Brattin	Ellington	Evans
Kelley 127	Kidd	Kolkmeier	Lauer	Mitten
Newman	Peters	Phillips	Pierson Jr	Rhoads
Smith 163	Walker 74	Wilson		

VACANCIES: 002

Representative Engler declared the bill passed.

Speaker Richardson resumed the Chair.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 2210, relating to elementary and secondary education, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, the title of **HCS HB 2210** was agreed to.

HCS HB 2210 was laid over.

On motion of Representative Vescovo, the House recessed until 2:45 p.m.

AFTERNOON SESSION

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 034

Alferman	Anders	Andrews	Austin	Basye
Bondon	Brown 27	Butler	Curtman	Engler
Fraker	Francis	Franks Jr	Gannon	Green
Hansen	Hurst	Justus	Kelly 141	Kidd
Lant	Lauer	Lichtenegger	Morse 151	Pfautsch
Pike	Pogue	Redmon	Reiboldt	Remole
Roeber	Taylor	Walsh	White	

1868 *Journal of the House*

NOES: 000

PRESENT: 061

Anderson	Baringer	Beard	Berry	Black
Brown 57	Burnett	Chipman	Christofanelli	Conway 104
Corlew	Cornejo	Cross	Davis	Dohrman
Eggleston	Evans	Fitzwater	Franklin	Gregory
Grier	Haahr	Haefner	Hannegan	Helms
Higdon	Hill	Houghton	Houx	Johnson
Knight	Love	Lynch	Mathews	McCann Beatty
McDaniel	McGaugh	Meredith 71	Miller	Morgan
Nichols	Revis	Rhoads	Roden	Rone
Ross	Rowland 155	Runions	Ruth	Shaul 113
Shumake	Smith 163	Sommer	Stacy	Tate
Trent	Vescovo	Walker 3	Wiemann	Wood
Mr. Speaker				

ABSENT WITH LEAVE: 066

Adams	Arthur	Bahr	Bangert	Barnes 60
Barnes 28	Beck	Bernskoetter	Brattin	Burns
Carpenter	Conway 10	Cookson	Curtis	DeGroot
Dinkins	Dogan	Ellebracht	Ellington	Fitzpatrick
Frederick	Gray	Harris	Henderson	Kelley 127
Kendrick	Kolkmeier	Korman	Lavender	Marshall
Matthiesen	May	McCreery	McGee	Merideth 80
Messenger	Mitten	Moon	Morris 140	Mosley
Muntzel	Neely	Newman	Peters	Phillips
Pierson Jr	Pietzman	Plocher	Quade	Razer
Rehder	Reisch	Roberts	Rowland 29	Schroer
Shull 16	Smith 85	Spencer	Stephens 128	Stevens 46
Swan	Unsicker	Walker 74	Washington	Wessels
Wilson				

VACANCIES: 002

THIRD READING OF HOUSE BILLS

HCS HB 1611, relating to statutes of limitations, was taken up by Representative Trent.

On motion of Representative Trent, **HCS HB 1611** was read the third time and passed by the following vote:

AYES: 083

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Corlew
Cornejo	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Helms	Henderson	Hill	Houghton
Houx	Johnson	Justus	Kelly 141	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews

McGaugh	Miller	Morse 151	Muntzel	Neely
Pfautsch	Pietzman	Pike	Redmon	Rehder
Reiboldt	Reisch	Remole	Roden	Roeber
Rone	Ross	Rowland 155	Shaul 113	Shumake
Smith 163	Sommer	Spencer	Stacy	Tate
Taylor	Trent	Vescovo	Walsh	White
Wiemann	Wood	Mr. Speaker		

NOES: 047

Adams	Anders	Arthur	Baringer	Barnes 60
Barnes 28	Beard	Beck	Brown 27	Burnett
Burns	Butler	Carpenter	Conway 10	Conway 104
Ellebracht	Ellington	Franks Jr	Gray	Green
Harris	Higdon	Hurst	Kendrick	Kidd
Lavender	Marshall	May	McCann Beatty	McCreery
McDaniel	Meredith 71	Mitten	Moon	Morgan
Nichols	Pierson Jr	Pogue	Quade	Razer
Revis	Rowland 29	Runions	Ruth	Stevens 46
Unsicker	Walker 3			

PRESENT: 000

ABSENT WITH LEAVE: 031

Bangert	Cookson	Cross	Curtis	DeGroot
Gannon	Kelley 127	Knight	Kolkmeyer	Korman
Matthiesen	McGee	Merideth 80	Messenger	Morris 140
Mosley	Newman	Peters	Phillips	Plocher
Rhoads	Roberts	Schroer	Shull 16	Smith 85
Stephens 128	Swan	Walker 74	Washington	Wessels
Wilson				

VACANCIES: 002

Speaker Richardson declared the bill passed.

HCS HB 2119, relating to punitive damages, was taken up by Representative Mathews.

Representative Lynch assumed the Chair.

On motion of Representative Mathews, **HCS HB 2119** was read the third time and passed by the following vote:

AYES: 092

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 104
Corlew	Cornejo	Cross	Curtman	Davis
Dinkins	Dogan	Dohrman	Eggleston	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Helms	Henderson

1870 *Journal of the House*

Hill	Houghton	Houx	Johnson	Justus
Kelly 141	Knight	Lant	Lauer	Lichtenegger
Love	Lynch	Mathews	Matthiesen	McDaniel
McGaugh	Messenger	Miller	Muntzel	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowland 155	Ruth	Schroer
Shaul 113	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walsh	White	Wiemann
Wood	Mr. Speaker			

NOES: 052

Adams	Anders	Arthur	Bangert	Baringer
Barnes 60	Barnes 28	Beard	Beck	Brown 27
Burnett	Burns	Butler	Carpenter	Conway 10
Cookson	Ellebracht	Ellington	Franks Jr	Gray
Green	Harris	Higdon	Hurst	Kendrick
Kidd	Lavender	Marshall	May	McCann Beatty
McCreery	Meredith 71	Merideth 80	Mitten	Moon
Morgan	Morris 140	Morse 151	Mosley	Nichols
Pierson Jr	Pogue	Quade	Razer	Reisch
Revis	Roberts	Rowland 29	Runions	Stevens 46
Unsicker	Walker 3			

PRESENT: 000

ABSENT WITH LEAVE: 017

Curtis	DeGroot	Engler	Kelley 127	Kolkmeier
Korman	McGee	Neely	Newman	Peters
Plocher	Shull 16	Smith 85	Walker 74	Washington
Wessels	Wilson			

VACANCIES: 002

Representative Lynch declared the bill passed.

HCS HB 2140, relating to public contracts for purchasing supplies, was taken up by Representative Haefner.

Speaker Pro Tem Haahr resumed the Chair.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Alferman	Anderson	Andrews	Bahr	Barnes 60
Basye	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Christofanelli	Conway 104	Corlew
Cornejo	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Evans	Fitzpatrick	Fitzwater

Fraker	Francis	Franklin	Frederick	Gregory
Grier	Haahr	Haefner	Hannegan	Helms
Henderson	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelly 141	Kidd	Knight
Lant	Lichtenegger	Love	Lynch	Marshall
Matthiesen	McDaniel	McGaugh	Messenger	Moon
Morris 140	Morse 151	Muntzel	Pfausch	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowland 155	Ruth	Schroer
Shaul 113	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Vescovo	Walker 3	Walsh	White	Wiemann
Wood				

NOES: 038

Adams	Anders	Bangert	Baringer	Beck
Brown 27	Burnett	Burns	Butler	Carpenter
Conway 10	Curtis	Ellebracht	Ellington	Franks Jr
Gray	Green	Harris	Kendrick	Lavender
May	McCann Beatty	McCreery	Meredith 71	Merideth 80
Mitten	Morgan	Mosley	Nichols	Pierson Jr
Quade	Razer	Revis	Roberts	Rowland 29
Runions	Stevens 46	Unsicker		

PRESENT: 000

ABSENT WITH LEAVE: 032

Arthur	Austin	Barnes 28	Beard	Chipman
Cookson	Cross	DeGroot	Engler	Gannon
Hansen	Higdon	Kelley 127	Kolkmeier	Korman
Lauer	Mathews	McGee	Miller	Neely
Newman	Peters	Phillips	Pietzman	Shull 16
Smith 85	Trent	Walker 74	Washington	Wessels
Wilson	Mr. Speaker			

VACANCIES: 002

On motion of Representative Haefner, **HCS HB 2140** was read the third time and passed by the following vote:

AYES: 084

Anders	Anderson	Andrews	Bahr	Bangert
Baringer	Barnes 60	Basye	Bernskoetter	Berry
Black	Bondon	Brown 57	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Davis
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Evans	Fitzwater	Fraker	Francis	Franklin
Frederick	Gregory	Grier	Haahr	Haefner
Hannegan	Helms	Henderson	Houghton	Houx
Johnson	Justus	Kidd	Knight	Lant
Lichtenegger	Love	Lynch	Matthiesen	McGaugh
Merideth 80	Messenger	Miller	Morris 140	Morse 151

1872 *Journal of the House*

Muntzel	Pfautsch	Pike	Plocher	Razer
Redmon	Reiboldt	Reisch	Remole	Rhoads
Roden	Rone	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shumake	Sommer
Spencer	Swan	Tate	Trent	Vescovo
Walker 3	Walsh	Wiemann	Wood	

NOES: 051

Adams	Alferman	Arthur	Barnes 28	Beck
Brattin	Brown 27	Burnett	Burns	Butler
Carpenter	Curtis	Curtman	Ellington	Fitzpatrick
Franks Jr	Gray	Green	Harris	Hill
Hurst	Kelly 141	Kendrick	Lavender	Marshall
May	McCann Beatty	McCreery	McDaniel	McGee
Meredith 71	Mitten	Moon	Morgan	Mosley
Nichols	Pierson Jr	Pogue	Quade	Rehder
Revis	Roberts	Roeber	Rowland 29	Smith 163
Stacy	Stephens 128	Stevens 46	Taylor	Unsicker
White				

PRESENT: 000

ABSENT WITH LEAVE: 026

Austin	Beard	Chipman	Cookson	DeGroot
Engler	Gannon	Hansen	Higdon	Kelley 127
Kolkmeyer	Korman	Lauer	Mathews	Neely
Newman	Peters	Phillips	Pietzman	Shull 16
Smith 85	Walker 74	Washington	Wessels	Wilson
Mr. Speaker				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

COMMITTEE REPORTS

Committee on Judiciary, Chairman Corlew reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1399**, 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 (7): Corlew, DeGroot, Ellebracht, Marshall, Roberts, Toalson Reisch and White

Noes (1): Beard

Absent (2): Gregory and Mitten

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1648**, 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 (7): Beard, Corlew, DeGroot, Ellebracht, Gregory, Marshall and Roberts

Noes (2): Toalson Reisch and White

Absent (1): Mitten

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 2366**, 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 (9): Beard, Corlew, DeGroot, Ellebracht, Gregory, Marshall, Roberts, Toalson Reisch and White

Noes (0)

Absent (1): Mitten

Committee on Rules - Legislative Oversight, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2159**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Eggleston, Fitzwater, Gregory, Haahr, Houx, Rone and Shumake

Noes (4): Butler, Curtis, Lavender and Wessels

Absent (3): Bondon, Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2495**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Eggleston, Fitzwater, Gregory, Haahr, Houx, Rone and Shumake

Noes (4): Butler, Curtis, Lavender and Wessels

Present (1): Bondon

Absent (2): Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2589**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Eggleston, Fitzwater, Gregory, Haahr, Houx, Rone and Shumake

Noes (4): Butler, Curtis, Lavender and Wessels

Present (1): Bondon

Absent (2): Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SCS SB 547**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Butler, Curtis, Fitzwater, Gregory, Haahr, Houx, Lavender, Rone, Shumake and Wessels

Noes (1): Eggleston

Absent (3): Bondon, Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SB 625**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Butler, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rone, Shumake and Wessels

Noes (0)

Absent (3): Bondon, Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 806**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Butler, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rone, Shumake and Wessels

Noes (0)

Absent (3): Bondon, Rhoads and Shull (16)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SB 870**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Butler, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rone, Shumake and Wessels

Noes (0)

Absent (3): Bondon, Rhoads and Shull (16)

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1289 - Fiscal Review
HCS HB 1885 - Fiscal Review
HCS HB 1999 - Fiscal Review
HB 2015 - Budget

REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

HCS SB 806 - Fiscal Review

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1291**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1291, with Senate Substitute Amendment No. 1 for Senate Amendment No. 2, and Senate Amendment 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 Substitute for Senate Committee Substitute for House Bill No. 1291, as amended;
2. That the House recede from its position on House Bill No. 1291;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1291 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Representative Mike Henderson
/s/ Representative Cheri Toalson Reisch
/s/ Representative Nate Walker
/s/ Representative Joe Adams
Representative Ingrid Burnett

FOR THE SENATE:

/s/ Senator Gary Romine
/s/ Senator Dan Hegeman
/s/ Senator Bob Onder
Senator Scott Sifton
/s/ Senator Gina Walsh

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Report was referred to the Committee indicated:

CCR SS SCS HB 1291, as amended - Fiscal Review

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Thursday, April 19, 2018.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-sixth Day, Tuesday, April 17, 2018, Page 1810, Line 21, by inserting immediately after said line the following:

“INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 2015, introduced by Representative Fitzpatrick, to appropriate money for supplemental purposes for the expenses, grants and distributions of the Department of Economic Development to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2018.”

COMMITTEE HEARINGS

CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HCB 20

Executive session will be held: HB 1986

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

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 24, 2018, 8:00 AM, House Hearing Room 5.

Public hearing will be held: SCS SB 953, SS SCS SB 752, SS SCS SB 652, HB 2624

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

FINANCIAL INSTITUTIONS

Tuesday, April 24, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 5.

Executive session will be held: HB 2657, SCS SB 769

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

FISCAL REVIEW

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 6.

Executive session will be held: HB 2336

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

JOINT COMMITTEE ON EDUCATION

Monday, April 30, 2018, 12:00 PM, House Hearing Room 6.

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

Election of Chair and Co-Chair, outgoing member recognition, discussion of interim activities.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Monday, April 30, 2018, 2:00 PM, House Hearing Room 5.

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

Second quarter meeting.

JUDICIARY

Thursday, April 19, 2018, 8:15 AM, House Hearing Room 7.
Public hearing will be held: SB 780
Executive session will be held: SB 780
Executive session may be held on any matter referred to the committee.
Witness testimony will be limited to 3 minutes unless approved by the Chair.

RULES - ADMINISTRATIVE OVERSIGHT

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 4.
Executive session will be held: HCS HB 2353, HCS HB 2496, SS#5 SB 564, HCS SB 743,
SCS SB 862, SCS SB 892
Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON TOURISM

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 7.
Executive session will be held: SCS SBs 999 & 1000, HCR 105, HCR 98
Executive session may be held on any matter referred to the committee.

SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

Thursday, April 19, 2018, 9:00 AM, Room B-22, 201 West Capitol Ave, Jefferson City, MO.
Executive session may be held on any matter referred to the committee.
PLEASE NOTE ONE (1) HOUR DELAY from previous notice. This is a closed meeting
pursuant to HR 5565 and Article III, Section 18 of the Missouri Constitution.
CORRECTED

SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

Monday, April 23, 2018, 2:00 PM, Room B-22, 201 West Capitol Ave, Jefferson City, MO.
Executive session may be held on any matter referred to the committee.
This is a closed meeting pursuant to HR 5565 and Article III, Section 18 of the Missouri
Constitution.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, THURSDAY, APRIL 19, 2018

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 61 - Shumake

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2017 - Fitzpatrick
HCS HB 2018 - Fitzpatrick

HOUSE COMMITTEE BILLS FOR PERFECTION

HCB 11 - Dinkins
HCB 16 - Houghton
HCB 14 - Reiboldt
HCB 15 - Frederick
HCB 23 - Dogan

HOUSE BILLS FOR PERFECTION - REVISION

HRB 2 - Shaul (113)

HOUSE BILLS FOR PERFECTION

HCS HB 2407 - Ruth
HB 2438 - Remole
HB 2460 - Vescovo
HB 1590 - Smith (163)
HB 2381 - Sommer
HB 2352 - Fraker
HB 1728 - Lant
HB 1378 - Trent
HCS HB 1424 - Roeber
HB 1569 - Christofanelli
HCS HB 1549 - Alferman
HB 1626 - Morris (140)
HCS HB 1363 - Kidd
HB 1290 - Henderson
HCS HB 1248 - Pike
HCS HB 2364 - Bondon
HCS HB 2356 - Haefner
HB 1906 - Higdon
HCS HB 2038 - Fraker
HCS HB 1273 - Kendrick
HCS HB 1577 - Wiemann
HCS HB 1870 - Barnes (60)
HB 1901 - Cross
HB 1972 - Wiemann
HB 1431 - Barnes (28)
HB 1454 - May
HCS HB 1554 - Neely
HB 1795 - Bernskoetter
HCS HB 2157 - Bahr
HB 2632 - Dinkins
HB 2607 - Knight
HCS HB 2259 - Lichtenegger
HB 2644 - Rowland (29)

HB 2538 - Pietzman
HB 2499 - Hansen
HCS HB 2234 - Rehder
HCS HB 1444 - Eggleston
HCS HB 1722 - Moon
HB 2211 - Kidd
HB 2421 - Pfautsch
HB 2159 - Hurst
HCS HB 2125 - Helms
HB 1977 - Redmon
HB 2232 - Ross
HCS HB 2233 - Ross
HB 2409 - Fraker
HCS HB 2295 - Helms
HB 2334 - Shaul (113)
HCS HB 2335 - Black
HCS HB 2180 - Kolkmeier
HB 2184 - Bondon
HCS HB 1929 - Corlew
HB 1837 - Rhoads
HCS HB 2411 - Pike
HB 2453 - Austin
HB 2590 - Gregory
HB 1811 - Smith (85)

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 1457 - Lauer
HB 1715 - Phillips
HB 1470 - Kelley (127)
HCS HB 1491 - Kelley (127)
HB 1767 - Arthur
HB 1966 - Cornejo
HB 2139 - Morris (140)
HB 1846 - Cornejo
HB 1485 - Brown (57)
HCS HB 2247 - Roeber
HB 2179 - Richardson
HB 2384 - Barnes (60)
HB 1662 - Swan
HCS HB 1857 - Shaul (113)
HCS HB 1803 - Matthiesen
HCS HB 1739 - Smith (163)
HB 1397 - Shaul (113)
HCS HB 2210 - Christofanelli

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 96 - Conway (104)

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

HCR 55 - Basye

HOUSE BILLS FOR THIRD READING

HCS HBs 2523 & 2524 - Gregory

HCS HB 1289, (Fiscal Review 4/18/18) - Engler

HCS HB 1542 - Morris (140)

HCS HB 1885, (Fiscal Review 4/18/18) - Bahr

HCS HB 1915 - Roden

HB 2155 - Schroer

HCS HB 1999, (Fiscal Review 4/18/18) - Bondon

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 2336, (Fiscal Review 4/10/18) - Tate

SENATE BILLS FOR THIRD READING

HCS SS SB 608 - Rhoads

SB 626 - Kidd

SB 708 - Fitzpatrick

HCS SS SCS SB 775, (Fiscal Review 4/17/18) - Fitzpatrick

HCS SS SCS SB 826, E.C. - Ross

SCS SB 644 - Brattin

HCS SCS SB 718 - Rhoads

SB 625 - Miller

HCS SS SCS SB 547 - Houghton

HCS SS SB 870 - Alferman

HCS SB 806, (Fiscal Review 4/18/18) - Neely

SENATE BILLS FOR THIRD READING - INFORMAL

SB 649 - Engler

SS SCS SB 549 - Rehder

SS SCS SB 593 - Shull (16)

SB 594 - Engler

BILLS IN CONFERENCE

CCR SS SCS HB 1291, as amended, (Fiscal Review 4/18/18) - Henderson

HOUSE RESOLUTIONS

HR 4878 - Shaul (113)

HR 5237 - Fraker

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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