

JOURNAL OF THE HOUSE

Second Regular Session, 100th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, WEDNESDAY, MAY 6, 2020

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Representative Ken Wilson.

Heavenly Father, it is our prayer during these few moments of silent reflection that they be filled with meaning, with peace and comfort to each member here this morning. Father, we ask for Your guidance for this day because we know that we need only to concern ourselves with issues of this day. May your blessings of good health and safety be upon the members of this body. We pray for the family members at home as they continue to maintain a home and life. We pray for understanding and guidance, as we have so many things to do and so little time to do them in. Help us, Father, to make wise choices and proper use of our time. May each member, in their own way, reach out to You for Your help and guidance in all that we do this day. Hear our prayers and be with us this day.

The Pledge of Allegiance to the flag was recited.

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

AYES: 124

Allred	Anderson	Andrews	Bailey	Baker
Baringer	Barnes	Basye	Beck	Billington
Black 137	Black 7	Bondon	Bromley	Brown 27
Burnett	Busick	Butz	Carter	Chappelle-Nadal
Chipman	Christofanelli	Clemens	Coleman 32	Cupps
Deaton	DeGroot	Dinkins	Dohrman	Eggleston
Ellebracht	Eslinger	Evans	Falkner	Fishel
Fitzwater	Francis	Gannon	Gray	Green
Gregory	Grier	Griesheimer	Griffith	Gunby
Haden	Haffner	Hannegan	Hansen	Helms
Henderson	Hicks	Hill	Houx	Hovis
Hudson	Hurst	Ingle	Justus	Kelley 127
Kendrick	Kidd	Kolkmeier	Lavender	Lovasco
Lynch	Mayhew	McDaniel	McGaugh	McGill
Miller	Moon	Morris 140	Morse 151	Mosley
Muntzel	Murphy	Neely	O'Donnell	Person
Pfautsch	Pierson Jr.	Pike	Pollitt 52	Porter
Razer	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rone	Ross	Ruth	Sauls	Schnelting
Schroer	Sharp 36	Sharpe 4	Shaul 113	Shawan
Shields	Simmons	Smith	Solon	Sommer
Stacy	Stephens 128	Stevens 46	Swan	Taylor
Trent	Veit	Vescovo	Walsh	Wiemann
Wilson	Wright	Young	Mr. Speaker	

NOES: 006

Appelbaum Unsicker	Mackey	McCreery	Merideth	Rowland
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PRESENT: 000

ABSENT WITH LEAVE: 032

Aldridge	Bangert	Bland Manlove	Bosley	Brown 70
Burns	Carpenter	Coleman 97	Dogan	Kelly 141
Knight	Love	Messenger	Mitten	Morgan
Patterson	Pietzman	Plocher	Pogue	Pollock 123
Price	Proudie	Quade	Rogers	Runions
Sain	Shull 16	Spencer	Tate	Washington
Windham	Wood			

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 2002, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2002, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2003, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2003** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1768, as amended**, and grants the House a conference thereon.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Deaton, Gregory, Houx, Morgan, Walsh and Wiemann

Noes (0)

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1467 and HB 1934**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Deaton, Gregory, Houx, Morgan, Walsh and Wiemann

Noes (0)

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HCS HB 2046, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Baringer, Burnett, Deaton, Gregory, Houx, Morgan, Walsh and Wiemann

Noes (0)

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 523**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 544**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 580**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 673 & 560**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 725**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 774**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 2004, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2004, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Speaker Pro Tem Wiemann assumed the Chair.

Representative Smith again moved that the House refuse to adopt **SCS HS HCS HB 2004, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2005, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HS HCS HB 2006, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SS SCS HS HCS HB 2006** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2007, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2008, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2008, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2009, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2010, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2010, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2011, as amended, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2011, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Speaker Haahr resumed the Chair.

Representative Smith again moved that the House refuse to adopt **SCS HS HCS HB 2011, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 2012, to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Capitol Police Board, Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2013, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended, relating to criminal law, was taken up by Representative Schroer.

Representative Schroer moved that the House refuse to adopt **SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SB 618, relating to utilities, was taken up by Representative Kidd.

On motion of Representative Kidd, the title of **HCS SS SB 618** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"67.5122. Sections 67.5110 to 67.5122 shall expire on January 1, [~~2024~~] **2025**, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation."; and

Further amend said bill, Pages 1-12, Section 144.030, Lines 1-402, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 13, Section 393.1009, Line 41, by inserting after the word "filing" the following:

"associated with eligible system replacements less annual depreciation expenses and property taxes associated with any related facility retirements"; and

Further amend said bill, Page 18, Section 393.1015, Lines 102-103, by deleting the words **"subject to commission approval,"** and inserting in lieu thereof the words **"the commission shall issue an order to refund those amounts, and"**; and

Further amend said bill, Pages 18-19, Section 393.1900, Lines 1-14, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 26, Section 640.145, Line 12, by inserting after all of said section and line the following:

"701.200. 1. Subject to appropriations, each school district, as such term is defined in section 160.011, may test a sample of a source of potable water in a public school building in that district serving students under first grade and constructed before 1996 for lead contamination in accordance with guidance provided by the department of health and senior services. The school district may submit the samples to a department-approved laboratory for analysis for lead and provide the written sampling results to the department within seven days of receipt.

2. The department shall develop guidance for schools in collecting and testing first-draw samples of potable water. The department shall develop and make publicly available a list of approved laboratories for lead analysis.

3. If any of the samples exceed current standards for parts per billion of lead established by the U.S. Environmental Protection Agency, the school district shall promptly provide individual notification of the sampling results, by written or electronic communication, to the parents or legal guardians of all enrolled students and include the following information: the corresponding sampling location within the building and the U.S. Environmental Protection Agency's website for information about lead in drinking water. If any of the samples taken in the building are at or below five parts per billion, notification may be made as provided in this subsection or by posting on the school's website.

4. The department may promulgate rules and regulations necessary 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, 2020, shall be invalid and void.

5. As used in this section, the term "source of potable water" shall mean the point at which nonbottled water that may be ingested by children or used for food preparation exits any tap, faucet, drinking fountain, wash basin in a classroom occupied by children or students under first grade, or similar point of use; provided, that all bathroom sinks and wash basins used by janitorial staff are excluded from this definition."; and

Further amend said bill and page, Section 67.5122, Lines 1-5, by deleting all of said section and lines from the bill; and

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

Speaker Pro Tem Wiemann resumed the Chair.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allred	Anderson	Andrews	Bailey	Baker
Billington	Black 137	Black 7	Bondon	Bromley
Busick	Chipman	Christofanelli	Coleman 32	Coleman 97
Cupps	Deaton	DeGroot	Dinkins	Dohrman
Eggleston	Eslinger	Evans	Falkner	Fishel
Francis	Gannon	Gregory	Grier	Haden
Haffner	Hannegan	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurst	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeier
Lovasco	Love	Lynch	Mayhew	McDaniel
McGaugh	McGill	Miller	Morris 140	Morse 151
Muntzel	Murphy	O'Donnell	Patterson	Pfautsch
Pike	Plocher	Pollitt 52	Porter	Reedy
Rehder	Toalson Reisch	Remole	Richey	Riggs
Roden	Rone	Ross	Ruth	Sharpe 4
Shaul 113	Shields	Simmons	Solon	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Veit	Vescovo	Walsh
Wiemann	Wilson	Wood	Wright	Mr. Speaker

NOES: 032

Aldridge	Appelbaum	Bangert	Baringer	Beck
Bland Manlove	Bosley	Burnett	Butz	Clemens
Gray	Gunby	Ingle	Lavender	Mackey
McCreery	Merideth	Morgan	Mosley	Person
Pierson Jr.	Price	Proudie	Quade	Razer
Roberts 77	Rogers	Rowland	Sharp 36	Unsicker
Windham	Young			

PRESENT: 000

ABSENT WITH LEAVE: 035

Barnes	Basye	Brown 27	Brown 70	Burns
Carpenter	Carter	Chappelle-Nadal	Dogan	Ellebracht
Fitzwater	Green	Griesheimer	Griffith	Hansen
Helms	Kendrick	Messenger	Mitten	Moon
Neely	Pietzman	Pogue	Pollock 123	Roberts 161
Runions	Sain	Sauls	Schnelting	Schroer
Shawan	Shull 16	Smith	Stevens 46	Washington

VACANCIES: 001

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

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

(1) "Electrical corporation", the same meaning given to the term in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110;

(2) "Facility", a:

(a) Facility whose primary industry is the ~~[smelting]~~ **processing** of ~~[aluminum and]~~ primary metals ~~[- Standard Industrial Classification Code 3334];~~

(b) Facility whose primary industry is the production or fabrication of steel, North American Industrial Classification System 331110; or

(c) Facility with a new or incremental increase in load equal to or in excess of a monthly demand of fifty megawatts.

2. Notwithstanding section 393.130 or any other provision of law to the contrary, the public service commission shall have the authority to approve a special rate, outside a general rate proceeding, that is not based on the electrical corporation's cost of service for a facility if:

(1) The commission determines, but for the authorization of the special rate the facility would not commence operations, the special rate is in the interest of the state of Missouri when considering the interests of the customers of the electrical corporation serving the facility, considering the incremental cost of serving the facility to receive the special rate, and the interests of the citizens of the state generally in promoting economic development, improving the tax base, providing employment opportunities in the state, and promoting such other benefits to the state as the commission may determine are created by approval of the special rate;

(2) After approval of the special rate, the commission allocates in each general rate proceeding of the electrical corporation serving the facility the reduced revenues from the special rate as compared to the revenues that would have been generated at the rate the facility would have paid without the special rate to the electrical corporation's other customers through a uniform percentage adjustment to all components of the base rates of all customer classes; and

(3) The commission approves a tracking mechanism meeting the requirements of subsection 3 of this section.

3. Any commission order approving a special rate authorized by this section to provide service to a facility in the manner specified under subsection 4 of this section shall establish, as part of the commission's approval of a special rate, a tracking mechanism to track changes in the net margin experienced by the electrical corporation serving the facility with the tracker to apply retroactively to the date the electrical corporation's base rates were last set in its last general rate proceeding concluded prior to June 14, 2017. The commission shall ensure that the changes in net margin experienced by the electrical corporation between the general rate proceedings as a result of serving the facility are calculated in such a manner that the electrical corporation's net income is neither increased

nor decreased. The changes in net margin shall be deferred to a regulatory liability or regulatory asset, as applicable, with the balance of such regulatory asset or liability to be included in the revenue requirement of the electrical corporation in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully returned to or collected from the electrical corporation's customers.

4. Notwithstanding the provisions of section 393.170, an electrical corporation is authorized to provide electric service to a facility at a special rate for the new or incremental load authorized by the commission:

(1) Under a rate schedule reflecting the special rate approved by the commission; or
(2) If the facility is located outside the electrical corporation's certificated service territory, the facility shall be treated as if it is in the electrical corporation's certified service territory, subject to a commission-approved rate schedule incorporating the special rate under the contract.

5. To receive a special rate, the electrical corporation serving the facility, or facility if the facility is located outside of the electrical corporation's certified service territory, shall file a written application with the commission specifying the requested special rate and any terms or conditions proposed by the facility respecting the requested special rate and provide information regarding how the requested special rate meets the criteria specified in subdivision (1) of subsection 2 of this section. A special rate provided for by this section shall be effective for no longer than ten years from the date such special rate is authorized. The commission may impose such conditions, including but not limited to any conditions in a memorandum of understanding between the facility and the electrical corporation, on the special rate as it deems appropriate so long as it otherwise complies with the provisions of this section.

6. Any entity which has been granted a special rate under this section may reapply to the commission for a special rate under this section."; and

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

Speaker Haahr resumed the Chair.

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 19, Section 393.1900, Line 14, by inserting after all of said section and line the following:

"414.152. 1. Any person found in violation of any provision of sections 414.012 to 414.152 **or section 414.600** shall be deemed guilty of a class A misdemeanor. The prosecutor of each county in which a violation occurs shall be empowered to bring an action hereunder. But if a prosecutor declines to bring such action, then the attorney general may bring an action instead, and in so doing shall have all the powers and jurisdiction of such prosecutor.

2. The prosecuting attorney of any county in which a violation of any provision of this chapter occurs or the attorney general is hereby authorized to apply to any court of competent jurisdiction for, and such court shall have jurisdiction upon hearing and for cause shown to grant, a temporary or permanent injunction to restrain any person from violating any provision of this chapter.

3. Any person who is found, upon investigation by the department of agriculture or by the department of revenue, to be in possible violation of any provision of this chapter shall be notified by certified mail of the facts constituting such violation, and shall be afforded an opportunity by the appropriate director to explain such facts at an informal hearing to be conducted within fourteen days of such notification. In the event that such person fails to timely respond to such notification or upon unsuccessful resolution of any issues relating to an alleged violation, such person may be summoned to a formal administrative hearing before a hearing officer conducted in conformance with chapter 536 and if found to have committed one or more violations, may be ordered to cease and desist from such violation, such order to be enforceable in circuit court, and, in addition, may be required to pay a penalty of not more than five hundred dollars per violation and five hundred dollars for each day such violation continues. Any party to such hearing aggrieved by a determination of a hearing officer may appeal to the circuit court of the county in which such party resides, or if the party is the state, in Cole County, in accordance with chapter 536.

414.600. 1. This section shall be known and may be cited as the "Missouri Made Fuels Act".

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

(1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel between six percent and twenty percent for on-road and off-road diesel-fueled vehicle use. Biodiesel blend shall comply with the most recent version of ASTM International D7467, Standard Specification of Diesel Fuel Oil;

(2) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets the most recent version of ASTM International D6751 Standard Specification for Biodiesel Fuel (B100) Blend Stock for Middle Distillate Fuels. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section, unless the palm oil is contained within waste oil and grease collected within the United States.

3. Except as otherwise provided in this section, all diesel fuel sold or offered for sale in Missouri for use in internal combustion engines shall contain at least the following stated percentage of biodiesel fuel oil by volume on and after the following dates:

(1) April 1, 2022, and until March 31, 2023, five percent;

(2) April 1, 2023, and until March 31, 2025, ten percent; and

(3) Beginning April 1, 2025, twenty percent.

Except as provided in this subsection, the minimum content levels in subdivisions (2) and (3) of this subsection are effective during the months of April, May, June, July, August, September, and October only and the minimum content for the remainder of the year is five percent. However, if the Missouri department of agriculture's division of weights, measures and consumer protection determines that an ASTM International specification or equivalent federal standard exists for the specified biodiesel blend level in subdivisions (2) and (3) of this subsection that adequately addresses technical issues associated with Missouri's typical weather patterns and publish a notice in the Missouri register to that effect, the department of agriculture may allow the specified biodiesel blend level in subdivisions (2) and (3) of this subsection to be effective year-round. In each year that the seasonal reduction to five percent is in effect, the minimum content level of diesel fuel sold or offered for sale at retail in Missouri from April first to April thirtieth may be less than the level required under subdivisions (2) and (3) of this subsection in order to allow for the transition of blends.

4. The minimum content levels in subdivisions (2) and (3) of subsection 3 of this section become effective on the date specified only if the director of the department of agriculture submits notice in the Missouri register that the following conditions have been met and the state is prepared to move to the next scheduled minimum content level:

(1) An ASTM International specification or equivalent federal standard exists for the next minimum diesel-biodiesel blend; and

(2) A sufficient supply of biodiesel is available and at least fifty percent of the biodiesel is produced in the state of Missouri.

5. By January 15, 2023, and biennially thereafter, the director of the division of energy shall determine the preceding twelve-month rolling average of wholesale diesel price at various pipeline and refinery terminals in Missouri, and the preceding twelve-month rolling average of biodiesel price determined after credits and incentives are subtracted at biodiesel plants in Missouri. The director shall consult with the directors of the department of natural resources and the department of agriculture, and may by emergency rule adjust the biodiesel mandate if a price disparity reported by the directors will cause economic hardship to the state. Any adjustment shall be for a specified period of time, after which the percentage of biodiesel fuel to be blended into diesel fuel returns to the amount required in subsection 3 of this section. The biodiesel blend shall not be adjusted to less than five percent.

6. The director of the department of agriculture may waive specific requirements in this section and in regulations promulgated according to this section, or may establish temporary alternative requirements for fuels as determined to be necessary in the event of an extreme and unusual fuel supply circumstance as a result of a feed stock shortage, emergency, or a natural disaster as determined by the director for a specified period of time. If any action is taken by the director under this section, the director shall:

(1) Review the action after thirty days; and

(2) Notify industry stakeholders of such action.

Any waiver issued or action taken under this subsection shall be as limited in scope and applicability as necessary, and shall apply equally and uniformly to all persons and companies in the impacted biodiesel fuel supply and distribution system, including but not limited to biodiesel producers, terminals, distributors, position holders and retailers.

7. The minimum content requirements of subsection 3 of this section do not apply to No. 1-D fuel and fuel used in the following equipment:

- (1) Motors located at an electric generating plant;
- (2) Railroad locomotives;
- (3) Stationary power generators;
- (4) Off-road mining equipment and machinery;
- (5) Off-road logging equipment and machinery; and
- (6) Vessels of the United States Coast Guard and vessels subject to inspection under 46 U.S.C.

Section 3301(1), (9), (10), (13), or (15).

8. (1) A refinery, position holder, or terminal shall provide, at the time diesel fuel is sold or transferred from the refinery or terminal, a bill of lading or shipping manifest to the person who receives the fuel. For biodiesel blends, the bill of lading or shipping manifest shall disclose biodiesel content, stating volume percentage, gallons of biodiesel per gallons of petroleum diesel base-stock, or an ASTM "Bxx" designation where "xx" denotes the volume percent biodiesel included in the blended product. This subsection shall not apply to sales or transfers of biodiesel blend stock between refineries, between terminals, or between a refinery and a terminal.

(2) A delivery ticket required under section 413.125 for a biodiesel blend shall state the volume percentage of biodiesel blended into the diesel fuel delivered through a meter into a storage tank used for dispensing into motor vehicles powered by an internal combustion engine and not exempt under subsection 3 of this section.

9. All terminals in Missouri that sell diesel fuel shall offer for sale, in cooperation with position holders and suppliers, biodiesel blends set forth in subsection 3 of this section and unblended diesel fuel.

10. Notwithstanding any other law to the contrary, all fuel retailers, wholesalers, distributors, and marketers shall be allowed to purchase biodiesel from any terminal, position holder, biodiesel producer, biodiesel wholesaler, or supplier. In the event a court of competent jurisdiction finds that this subsection does not apply to or improperly impairs existing contractual relationships, then this subsection shall only apply to and impact future contractual relationships.

11. Beginning in 2023, the director of the division of energy shall report by January fifteenth of each year to the speaker of the house of representatives and the president pro tempore of the senate regarding the implementation of the minimum content requirements in subsection 3 of this section, including information about the price and supply of biodiesel fuel. The report shall include information about the impacts of the biodiesel mandate on the development of biodiesel production capacity in the state, and on the use of feedstock grown or raised in the state for biodiesel production. Biodiesel fuel being recognized by the division of energy as a big contributor to Missouri's energy solutions industry, the division shall include recommendations on how to create continued growth and expansion for the benefit of Missouri's environment, economy, and agricultural industry.

12. The provisions of section 414.152 shall apply for purposes of enforcement of this section.

13. The department of agriculture and the department of natural resources shall establish rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

14. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under this section shall automatically sunset ten years after August 28, 2020, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset ten years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

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

Representative Christofanelli raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair took the point of order under advisement.

Representative Eggleston assumed the Chair.

HCS SS SB 618, as amended, with House Amendment No. 3, pending, and the point of order, pending, was laid over.

On motion of Representative Vescovo, the House recessed until 2:15 p.m.

AFTERNOON SESSION

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 039

Allred	Bailey	Barnes	Basye	Beck
Bondon	Busick	DeGroot	Dogan	Fishel
Francis	Gannon	Grier	Haden	Haffner
Hannegan	Hansen	Hurst	Justus	Kelley 127
Kelly 141	Kidd	Lovasco	McGill	Morris 140
Morse 151	Murphy	Patterson	Remole	Richey
Riggs	Roberts 161	Rone	Schnelting	Shields
Taylor	Veit	Walsh	Wright	

NOES: 002

Rowland	Sharp 36
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PRESENT: 066

Andrews	Appelbaum	Baker	Baringer	Billington
Black 137	Black 7	Bromley	Butz	Chappelle-Nadal
Chipman	Christofanelli	Clemens	Dinkins	Eggleston
Eslinger	Evans	Falkner	Fitzwater	Gregory
Griesheimer	Griffith	Gunby	Helms	Henderson
Hill	Hudson	Kendrick	Knight	Kolkmeyer
Lynch	Mayhew	McCreery	McGaugh	Merideth
Mitten	Moon	Neely	O'Donnell	Pfautsch
Pierson Jr.	Pike	Pollitt 52	Porter	Quade
Reedy	Rehder	Roberts 77	Roden	Ross

Ruth	Schroer	Sharpe 4	Shaul 113	Simmons
Solon	Spencer	Stacy	Stephens 128	Swan
Trent	Vescovo	Washington	Wilson	Young
Mr. Speaker				

ABSENT WITH LEAVE: 055

Aldridge	Anderson	Bangert	Bland Manlove	Bosley
Brown 27	Brown 70	Burnett	Burns	Carpenter
Carter	Coleman 32	Coleman 97	Cupps	Deaton
Dohrman	Ellebracht	Gray	Green	Hicks
Houx	Hovis	Ingle	Lavender	Love
Mackey	McDaniel	Messenger	Miller	Morgan
Mosley	Muntzel	Person	Pietzman	Plocher
Pogue	Pollock 123	Price	Proudie	Razer
Toalson Reisch	Rogers	Runions	Sain	Sauls
Shawan	Shull 16	Smith	Sommer	Stevens 46
Tate	Unsicker	Wiemann	Windham	Wood

VACANCIES: 001

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SB 618, as amended, with House Amendment No. 3, pending, and the point of order, pending, relating to utilities, was again taken up by Representative Kidd.

The Chair ruled the point of order on **House Amendment No. 3** not well taken.

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

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 4, Line 6, by inserting after the number "14." the following:

"Biodiesel producers in Missouri shall be deemed a public utility and subject to the rules and regulations of the Missouri public service commission established in chapter 386. 15."; and

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

Speaker Pro Tem Wiemann resumed the Chair.

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

On motion of Representative Haffner, **House Amendment No. 3** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 094

Allred	Andrews	Appelbaum	Bangert	Baringer
Basye	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Brown 27	Brown 70	Burnett	Busick
Butz	Carpenter	Clemens	Coleman 32	Cupps
Dinkins	Dohrman	Eggleston	Ellebracht	Eslinger
Evans	Falkner	Francis	Gannon	Gray
Green	Gregory	Griesheimer	Griffith	Gunby
Haden	Haffner	Hannegan	Hansen	Henderson
Hicks	Houx	Hovis	Justus	Kelley 127
Kelly 141	Kendrick	Knight	Lavender	Love
Lynch	Mackey	Mayhew	McCreery	McGaugh
McGill	Mitten	Morris 140	Morse 151	O'Donnell
Pfautsch	Pike	Plocher	Pollitt 52	Porter
Price	Proudie	Razer	Reedy	Rehder
Toalson Reisch	Remole	Riggs	Roberts 161	Roberts 77
Rone	Rowland	Ruth	Sauls	Schnelting
Sharp 36	Sharpe 4	Shields	Solon	Sommer
Stevens 46	Swan	Unsicker	Walsh	Wiemann
Wilson	Wood	Wright	Mr. Speaker	

NOES: 036

Anderson	Bailey	Baker	Billington	Bromley
Chappelle-Nadal	Chipman	Christofanelli	Coleman 97	Deaton
DeGroot	Dogan	Fishel	Grier	Helms
Hill	Hudson	Hurst	Kidd	Lovasco
Miller	Moon	Neely	Patterson	Pietzman
Pollock 123	Richey	Roden	Ross	Shaul 113
Smith	Stacy	Taylor	Trent	Veit
Vescovo				

PRESENT: 012

Aldridge	Barnes	Ingle	Merideth	Morgan
Mosley	Person	Pierson Jr.	Quade	Rogers
Washington	Young			

ABSENT WITH LEAVE: 020

Beck	Burns	Carter	Fitzwater	Kolkmeyer
McDaniel	Messenger	Muntzel	Murphy	Pogue
Runions	Sain	Schroer	Shawan	Shull 16
Simmons	Spencer	Stephens 128	Tate	Windham

VACANCIES: 001

Representative Kelly (141) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"67.453. Sections 67.453 to 67.475 are known and may be cited as the "Neighborhood Improvement District Act", and the following words and terms, as used in sections 67.453 to 67.475 mean:

(1) "Acquire", the acquisition of property or interests in property by purchase, gift, condemnation or other lawful means and may include the acquisition of existing property and improvements already owned by the city or county;

(2) "Consultant", engineers, architects, planners, attorneys, financial advisors, accountants, investment bankers and other persons deemed competent to advise and assist the governing body of the city or county in planning and making improvements;

(3) "Cost", all costs incurred in connection with an improvement, including, but not limited to, costs incurred for the preparation of preliminary reports, the preparation of plans and specifications, the preparation and publication of notices of hearings, resolutions, ordinances and other proceedings, fees and expenses of consultants, interest accrued on borrowed money during the period of construction, underwriting costs and other costs incurred in connection with the issuance of bonds or notes, establishment of reasonably required reserve funds for bonds or notes, the cost of land, materials, labor and other lawful expenses incurred in planning, acquiring and doing any improvement, reasonable construction contingencies, and work done or services performed by the city or county in the administration and supervision of the improvement;

(4) "Improve", to construct, reconstruct, maintain, restore, replace, renew, repair, install, equip, extend, or to otherwise perform any work which will provide a new public facility or enhance, extend or restore the value or utility of an existing public facility;

(5) "Improvement", any one or more public facilities or improvements which confer a benefit on property within a definable area and may include or consist of a reimprovement of a prior improvement. Improvements include, but are not limited to, the following activities:

(a) To acquire property or interests in property when necessary or desirable for any purpose authorized by sections 67.453 to 67.475;

(b) To open, widen, extend and otherwise to improve streets, paving and other surfacing, gutters, curbs, sidewalks, crosswalks, driveway entrances and structures, drainage works incidental thereto, and service connections from sewer, water, gas and other utility mains, conduits or pipes;

(c) To improve main and lateral storm water drains and sanitary sewer systems, and appurtenances thereto;

(d) To improve street lights and street lighting systems;

(e) To improve waterworks systems;

(f) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;

(g) To improve parks, playgrounds and recreational facilities;

~~(g)~~ (h) To improve any street or other facility by landscaping, planting of trees, shrubs, and other plants;

~~(h)~~ (i) To improve dikes, levees and other flood control works, gates, lift stations, bridges and streets appurtenant thereto;

~~(i)~~ (j) To improve vehicle and pedestrian bridges, overpasses and tunnels;

~~(j)~~ (k) To improve retaining walls and area walls on public ways or land abutting thereon;

~~(k)~~ (l) To improve property for off-street parking facilities including construction and equipment of buildings thereon;

~~(l)~~ (m) To acquire or improve any other public facilities or improvements deemed necessary by the governing body of the city or county; and

~~(m)~~ (n) To improve public safety;

(6) "Neighborhood improvement district", an area of a city or county with defined limits and boundaries which is created by vote or by petition under sections 67.453 to 67.475 and which is benefitted by an improvement and subject to special assessments against the real property therein for the cost of the improvement.

67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

- (2) To sue and be sued;
- (3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;
- (4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;
- (5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;
- (6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;
- (7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;
- (8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571.
However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;
- (9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;
- (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;
- (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
 - (a) The district's real property, except for public rights-of-way for utilities;
 - (b) The district's personal property, except in a city not within a county; or
 - (c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;
- (12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;
- (13) To loan money as provided in sections 67.1401 to 67.1571;
- (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;
- (15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;
- (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:
 - (a) Pedestrian or shopping malls and plazas;
 - (b) Parks, lawns, trees, and any other landscape;
 - (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;
 - (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;
 - (e) Parking lots, garages, or other facilities;
 - (f) Lakes, dams, and waterways;
 - (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;
 - (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
 - (i) Paintings, murals, display cases, sculptures, and fountains;
 - (j) Music, news, and child-care facilities; and
 - (k) Any other useful, necessary, or desired improvement;
- (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
- (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
- (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

- (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
 - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
 - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;
 - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
 - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
 - (25) To provide or support training programs for employees of businesses within the district;
 - (26) To provide refuse collection and disposal services within the district;
 - (27) To contract for or conduct economic, planning, marketing or other studies;
 - (28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and
 - (29) **To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;**
 - (30) To carry out any other powers set forth in sections 67.1401 to 67.1571.
2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:
- (1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private property owner; and
 - (2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.
3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.
4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.
5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.
- 67.1842. 1. In managing the public right-of-way and in imposing fees pursuant to sections 67.1830 to 67.1846, no political subdivision shall:
- (1) Unlawfully discriminate among public utility right-of-way users;
 - (2) Grant a preference to any public utility right-of-way user;
 - (3) Create or erect any unreasonable requirement for entry to the public right-of-way by public utility right-of-way users;
 - (4) Require a telecommunications company to obtain a franchise **or written agreement, other than a permit**, or require a public utility right-of-way user to pay for the use of the public right-of-way, except as provided in sections 67.1830 to 67.1846;
 - (5) Enter into a contract or any other agreement for providing for an exclusive use, occupancy or access to any public right-of-way; or

(6) Require any public utility that has legally been granted access to the political subdivision's right-of-way to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision.

2. A public utility right-of-way user shall not be required to apply for or obtain right-of-way permits for projects commenced prior to August 28, 2001, requiring excavation within the public right-of-way, for which the user has obtained the required consent of the political subdivision, or that are otherwise lawfully occupying or performing work within the public right-of-way. The public utility right-of-way user may be required to obtain right-of-way permits prior to any excavation work performed within the public right-of-way after August 28, 2001.

3. A political subdivision shall not collect a fee imposed pursuant to section 67.1840 through the provision of in-kind services by a public utility right-of-way user, nor require the provision of in-kind services as a condition of consent to use the political subdivision's public right-of-way; however, nothing in this subsection shall preclude requiring services of a cable television operator, open video system provider or other video programming provider as permitted by federal law.

67.1846. 1. Nothing in sections 67.1830 to 67.1846 relieves the political subdivision of any obligations under an existing franchise agreement in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 will apply to that portion of any ordinance passed prior to May 1, 2001, which establishes a street degradation fee. Nothing in sections 67.1830 to 67.1846 shall be construed as limiting the authority of county highway engineers or relieving public utility right-of-way users from any obligations set forth in chapters 229 to 231. Nothing in sections 67.1830 to 67.1846 shall be deemed to relieve a public utility right-of-way user of the provisions of an existing franchise, franchise fees, license or other agreement or permit in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision or public utility right-of-way user from renewing or entering into a new or existing franchise, **upon mutual agreement**, as long as all other public utility right-of-way users have use of the public right-of-way on a nondiscriminatory basis. Nothing in sections 67.1830 to 67.1846 shall prevent a grandfathered political subdivision from enacting new ordinances, including amendments of existing ordinances, charging a public utility right-of-way user a fair and reasonable linear foot fee or antenna fee or from enforcing or renewing existing linear foot ordinances for use of the right-of-way, provided that the public utility right-of-way user either:

(1) Is entitled under the ordinance to a credit for any amounts paid as business license taxes, **payments in lieu of taxes**, or gross receipts taxes; or

(2) Is not required by the political subdivision to pay the linear foot fee or antenna fee if the public utility right-of-way user is paying gross receipts taxes, business license fees, or business license taxes that are not nominal and that are imposed specifically on communications-related revenue, services, or equipment.

For purposes of this section, a "grandfathered political subdivision" is any political subdivision which has, prior to May 1, 2001, enacted one or more ordinances reflecting a policy of imposing any linear foot fees on any public utility right-of-way user, including ordinances which were specific to particular public right-of-way users. Any existing ordinance or new ordinance passed by a grandfathered political subdivision providing for payment of the greater of a linear foot fee or a gross receipts tax shall be enforceable only with respect to the linear foot fee.

2. **A grandfathered political subdivision shall not charge a linear foot fee for use of its right-of-way to a small local exchange telecommunications company that is qualified as of December 31, 2019, as a small local exchange telecommunications company, as defined in section 386.020, provided that the small local exchange telecommunications company is providing internet access to customers in a grandfathered political subdivision.**

3. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, renewing or enforcing provisions of an ordinance to require a business license tax, sales tax, occupation tax, franchise tax or franchise fee, property tax or other similar tax, to the extent consistent with federal law. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, enforcing or renewing provisions of an ordinance to require a gross receipts tax pursuant to chapter 66, chapter 92, or chapter 94. For purposes of this subsection, the term "franchise fee" shall mean "franchise tax".; and

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

Representative Black (137) offered **House Amendment No. 1 to House Amendment No. 4.**

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

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 5, Line 27, by deleting the phrase "**upon mutual agreement**," on said line; and

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

On motion of Representative Black (137), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Kelly (141), **House Amendment No. 4, as amended**, was adopted.

Representative Black (137) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

"393.135. **Except as provided in section 393.1250**, any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction **work** in progress, **as that term is defined in section 393.1250**, upon any existing or new [~~facility of the~~] electrical corporation **facility**, or any other cost associated with owning, operating, maintaining, or financing any **such** property before it is fully operational and used for service [~~, is unjust and unreasonable, and~~] is prohibited."; and

Further amend said bill, Page 18, Section 393.1015, Line 107, by inserting after all of said section and line the following:

"393.1250. 1. This section shall be known and may be cited as the "Missouri Nuclear Clean Power Act", the purpose of which is to enable the construction of clean baseload electric generating plants within this state or facilities that utilize renewable sources to produce energy. This section shall not apply to clean baseload electric generating plants or renewable source generating facilities that are in commercial operation before August 28, 2020.

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

(1) "Clean baseload generating plant", a new nuclear-fueled electric generating facility located in this state that is designed to be operated at a capacity factor exceeding seventy percent annually and is intended in whole or in part to serve retail customers of an electrical corporation in Missouri;

(2) "Construction work in progress", the electrical corporation's share of all capital costs associated with a clean baseload generating plant or renewable source generating facility, which have been incurred but have not been included in the electrical corporation's plant in service, and are recorded in the Federal Energy Regulatory Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees Subject to the Provisions of the Federal Power Act, Balance Sheet Chart Accounts, as construction work in progress for electric plants in 18 CFR Part 101, or any other account established in the Uniform System of Accounts for the recording of construction work in progress;

(3) "Renewable source generating facility", any electric generating facility powered by wind, hydropower, solar power, landfill methane, biomass, or any other renewable source of power that does not produce significant carbon emissions.

3. The provisions of section 393.135 shall not apply to a clean baseload generating plant, or a renewable source generating facility if the plant or facility is rated at two hundred megawatts or more. Costs recovered by an electrical corporation under the provisions of this section are subject to inclusion or

exclusion from rates in a ratemaking proceeding pursuant to the commission's authority to determine just and reasonable rates. In addition, the commission may authorize an electrical corporation to make or demand charges for service based in whole or in part on additional amortizations to maintain the electrical corporation's financial ratios that will, in the commission's judgment, better enable the electrical corporation to cost-effectively construct a clean baseload generating plant or a renewable source generating facility.

4. The commission may promulgate rules to assist in the implementation 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, 2020, shall be invalid and void."; and

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allred	Anderson	Andrews	Basye	Billington
Black 137	Black 7	Bondon	Bromley	Busick
Christofanelli	Coleman 32	Coleman 97	Cupps	Deaton
DeGroot	Dinkins	Dohrman	Eggleston	Eslinger
Evans	Falkner	Fitzwater	Francis	Gannon
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurst	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeyer	Lovasco	Love	Lynch
Mayhew	McGaugh	McGirl	Miller	Moon
Morse 151	Murphy	Neely	O'Donnell	Pfautsch
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roden	Ross	Ruth
Sharpe 4	Shaul 113	Shields	Smith	Solon
Sommer	Spencer	Stacy	Swan	Taylor
Trent	Veit	Vescovo	Walsh	Wiemann
Wilson	Wood	Wright	Mr. Speaker	

NOES: 036

Appelbaum	Bangert	Baringer	Barnes	Bland Manlove
Bosley	Brown 27	Brown 70	Burnett	Butz
Chappelle-Nadal	Clemens	Ellebracht	Gray	Green
Gunby	Ingle	Lavender	Mackey	McCreery
Merideth	Morgan	Mosley	Pierson Jr.	Price
Proudie	Quade	Razer	Roberts 77	Rogers
Rowland	Sharp 36	Stevens 46	Unsicker	Washington
Young				

PRESENT: 000

ABSENT WITH LEAVE: 032

Aldridge	Bailey	Baker	Beck	Burns
Carpenter	Carter	Chipman	Dogan	Fishel
Kendrick	McDaniel	Messenger	Mitten	Morris 140
Muntzel	Patterson	Person	Pietzman	Pogue
Rone	Runions	Sain	Sauls	Schnelting
Schroer	Shawan	Shull 16	Simmons	Stephens 128
Tate	Windham			

VACANCIES: 001

On motion of Representative Black (137), **House Amendment No. 5** was adopted.

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"137.123. Beginning January 1, 2021, for purposes of assessing all real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity, the following depreciation tables shall be used to determine the true value in money of such property. The first year shown in the table shall be the year immediately following the year of construction of the property. The original costs shall reflect either:

- (1) The actual and documented original property cost to the taxpayer, as shall be provided by the taxpayer to the assessor; or**
- (2) In the absence of actual and documented original property cost to the taxpayer, the estimated cost of the property by the assessor, using an authoritative cost guide.**

For purposes of this section, and to estimate the value of all real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity, each assessor shall apply the percentage shown to the original cost for the first year following the year of construction of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Percentage
1	40%
2	40%
3	37%
4	37%
5	35%

Any real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column in the table."; and

Further amend said bill, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

"153.030. 1. All bridges over streams dividing this state from any other state owned, used, leased or otherwise controlled by any person, corporation, railroad company or joint stock company, and all bridges across or over navigable streams within this state, where the charge is made for crossing the same, which are now constructed,

which are in the course of construction, or which shall hereafter be constructed, and all property, real and tangible personal, owned, used, leased or otherwise controlled by telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies and express companies shall be subject to taxation for state, county, municipal and other local purposes to the same extent as the property of private persons.

2. And taxes levied thereon shall be levied and collected in the manner as is now or may hereafter be provided by law for the taxation of railroad property in this state, and county commissions, county boards of equalization and the state tax commission are hereby required to perform the same duties and are given the same powers, including punitive powers, in assessing, equalizing and adjusting the taxes on the property set forth in this section as the county commissions and boards of equalization and state tax commission have or may hereafter be empowered with, in assessing, equalizing, and adjusting the taxes on railroad property; and an authorized officer of any such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express company or the owner of any such toll bridge, is hereby required to render reports of the property of such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express companies in like manner as the authorized officer of the railroad company is now or may hereafter be required to render for the taxation of railroad property.

3. On or before the fifteenth day of April in the year 1946 and each year thereafter an authorized officer of each such company shall furnish the state tax commission and county clerks a report, duly subscribed and sworn to by such authorized officer, which is like in nature and purpose to the reports required of railroads under chapter 151 showing the full amount of all real and tangible personal property owned, used, leased or otherwise controlled by each such company on January first of the year in which the report is due.

4. If any telephone company assessed pursuant to chapter 153 has a microwave relay station or stations in a county in which it has no wire mileage but has wire mileage in another county, then, for purposes of apportioning the assessed value of the distributable property of such companies, the straight line distance between such microwave relay stations shall constitute miles of wire. In the event that any public utility company assessed pursuant to this chapter has no distributable property which physically traverses the counties in which it operates, then the assessed value of the distributable property of such company shall be apportioned to the physical location of the distributable property.

5. (1) Notwithstanding any provision of law to the contrary, beginning January 1, 2019, a telephone company shall make a one-time election within the tax year to be assessed:

- (a) Using the methodology for property tax purposes as provided under this section; or
- (b) Using the methodology for property tax purposes as provided under this section for property consisting of land and buildings and be assessed for all other property exclusively using the methodology utilized under section 137.122.

If a telephone company begins operations, including a merger of multiple telephone companies, after August 28, 2018, it shall make its one-time election to be assessed using the methodology for property tax purposes as described under paragraph (b) of subdivision (1) of this subsection within the year in which the telephone company begins its operations. A telephone company that fails to make a timely election shall be deemed to have elected to be assessed using the methodology for property tax purposes as provided under subsections 1 to 4 of this section.

(2) The provisions of this subsection shall not be construed to change the original assessment jurisdiction of the state tax commission.

(3) Nothing in subdivision (1) of this subsection shall be construed as applying to any other utility.

(4) (a) The provisions of this subdivision shall ensure that school districts may avoid any fiscal impact as a result of a telephone company being assessed under the provisions of paragraph (b) of subdivision (1) of this subsection. If a school district's current operating levy is below the greater of its most recent voter-approved tax rate or the most recent voter-approved tax rate as adjusted under subdivision (2) of subsection 5 of section 137.073, it shall comply with section 137.073.

(b) Beginning January 1, 2019, any school district currently operating at a tax rate equal to the greater of the most recent voter-approved tax rate or the most recent voter-approved tax rate as adjusted under subdivision (2) of subsection 5 of section 137.073 that receives less tax revenue from a specific telephone company under this subsection, on or before January thirty-first of the year following the tax year in which the school district received less revenue from a specific telephone company, may by resolution of the school board impose a fee, as determined under this subsection, in order to obtain such revenue. The resolution shall include all facts that support the imposition of the fee. If the school district receives voter approval to raise its tax rate, the district shall no longer impose the fee authorized in this paragraph.

(c) Any fee imposed under paragraph (b) of this subdivision shall be determined by taking the difference between the tax revenue the telephone company paid in the tax year in question and the tax revenue the telephone company would have paid in such year had it not made an election under subdivision (1) of this subsection, which shall be calculated by taking the telephone company valuations in the tax year in question, as determined by the state tax commission under paragraph (d) of this subdivision, and applying such valuations to the apportionment process in subsection 2 of section 151.150. The school district shall issue a billing, as provided in this subdivision, to any such telephone company. A telephone company shall have forty-five days after receipt of a billing to remit its payment of its portion of the fees to the school district. Notwithstanding any other provision of law, the issuance or receipt of such fee shall not be used:

- a. In determining the amount of state aid that a school district receives under section 163.031;
- b. In determining the amount that may be collected under a property tax levy by such district; or
- c. For any other purpose.

For the purposes of accounting, a telephone company that issues a payment to a school district under this subsection shall treat such payment as a tax.

(d) When establishing the valuation of a telephone company assessed under paragraph (b) of subdivision (1) of this subsection, the state tax commission shall also determine the difference between the assessed value of a telephone company if:

- a. Assessed under paragraph (b) of subdivision (1) of this subsection; and
- b. Assessed exclusively under subsections 1 to 4 of this section.

The state tax commission shall then apportion such amount to each county and provide such information to any school district making a request for such information.

(e) This subsection shall expire when no school district is eligible for a fee.

6. (1) If any public utility company assessed pursuant to this chapter has ownership of any real or personal property associated with a project which uses wind energy directly to generate electricity, such wind energy project property shall be valued and taxed by any local authorities having jurisdiction under the provisions of chapter 137 and other relevant provisions of the law.

(2) Notwithstanding any provision of law to the contrary, beginning January 1, 2020, for any public utility company assessed pursuant to this chapter which has a wind energy project, such wind energy project shall be assessed using the methodology for real and personal property as provided in this subsection:

(a) Any wind energy property of such company shall be assessed upon the county assessor's local tax rolls;

and

(b) ~~Any property consisting of land and buildings related to the wind energy project shall be assessed under chapter 137; and~~

~~—(e)] All other [business] real property, excluding land, or personal property related to the wind energy project shall be assessed using the methodology provided under section [137.122] 137.123.";~~ and

Further amend said bill, Page 26, Section 67.5122, Line 5, by inserting after all of said section and line the following:

~~"[— 393.1073. 1. There is hereby established the "Task Force on Wind Energy", which shall be composed of the following members:
— (1) Three members of the house of representatives, with two appointed by the speaker of the house of representatives and one appointed by the minority floor leader of the house of representatives;
— (2) Three members of the senate, with two appointed by the president pro tempore of the senate and one appointed by the minority floor leader of the senate; and
— (3) Two representatives from Missouri county governments with experience in wind energy valuations, with one being a currently elected county assessor to be appointed by the speaker of the house of representatives, and one being a currently elected county clerk to be appointed by the president pro tempore of the senate.~~

- ~~2. The task force shall conduct public hearings and research, and shall compile a report for delivery to the general assembly by no later than December 31, 2019. Such report shall include information on the following:~~
- ~~(1) The economic benefits and drawbacks of wind turbines to local communities and the state;~~
- ~~(2) The fair, uniform, and standardized assessment and taxation of wind turbines and their connected equipment owned by a public utility company at the county level in all counties;~~
- ~~(3) Compliance with existing federal and state programs and regulations; and~~
- ~~(4) Potential legislation that will provide a uniform assessment and taxation methodology for wind turbines and their connected equipment owned by a public utility company that will be used in every county of Missouri.~~
- ~~3. The task force shall meet within thirty days after its creation and shall organize by selecting a chairperson and vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. Thereafter, the task force may meet as often as necessary in order to accomplish the tasks assigned to it. A majority of the task force shall constitute a quorum, and a majority vote of such quorum shall be required for any action.~~
- ~~4. The staff of house research and senate research shall provide necessary clerical, research, fiscal, and legal services to the task force, as the task force may request.~~
- ~~5. The members of the task force shall serve without compensation, but any actual and necessary expenses incurred in the performance of the task force's official duties by the task force, its members, and any staff assigned to the task force shall be paid from the joint contingent fund.~~
- ~~6. This section shall expire on December 31, 2019.]; and~~

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

- "247.200. **1.** The district shall have the right to lay its mains in public highways, roads, streets and alleys included in the district, but the same shall be done under reasonable rules and regulations of governmental bodies having jurisdiction of such public places. This shall apply to maintenance and repair jobs. In the construction of ditches, laying of mains, filling of ditches after mains are laid, connection of service pipes and repairing of lines, due regard must be taken of the rights of the public in its use of thoroughfares and the equal rights of other utilities thereto.
- 2. No district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.**
- 3. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges may be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the district.**
- 247.285. 1. No metropolitan water supply district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.**

2. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges shall be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the metropolitan water supply district."; and

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

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Busick	Christofanelli	Coleman 32	Coleman 97
Cupps	Deaton	DeGroot	Dinkins	Eggleston
Eslinger	Evans	Fishel	Fitzwater	Gannon
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurst	Justus	Kelley 127	Kidd	Knight
Kolkmeyer	Lovasco	Love	Lynch	Mayhew
McGaugh	McGill	Miller	Moon	Morris 140
Morse 151	Murphy	Neely	O'Donnell	Pfautsch
Pietzman	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Remole	Richey
Riggs	Roberts 161	Roden	Rone	Ross
Ruth	Schroer	Sharpe 4	Shaul 113	Shields
Solon	Sommer	Spencer	Stacy	Swan
Tate	Taylor	Trent	Veit	Vescovo
Walsh	Wiemann	Wood	Wright	Mr. Speaker

NOES: 036

Appelbaum	Bangert	Baringer	Barnes	Bland Manlove
Bosley	Brown 70	Burnett	Butz	Carpenter
Chappelle-Nadal	Clemens	Ellebracht	Gray	Green
Gunby	Ingle	Lavender	Mackey	McCreery
McDaniel	Merideth	Morgan	Mosley	Pierson Jr.
Price	Proudie	Quade	Razer	Rogers
Rowland	Sauls	Sharp 36	Stevens 46	Unsicker
Young				

PRESENT: 000

ABSENT WITH LEAVE: 031

Aldridge	Beck	Brown 27	Burns	Carter
Chipman	Dogan	Dohrman	Falkner	Francis
Kelly 141	Kendrick	Messenger	Mitten	Muntzel
Patterson	Person	Pogue	Toalson Reisch	Roberts 77

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Runions	Sain	Schnelting	Shawan	Shull 16
Simmons	Smith	Stephens 128	Washington	Wilson
Windham				

VACANCIES: 001

On motion of Representative Kidd, **HCS SS SB 618, as amended**, was adopted.

On motion of Representative Kidd, **HCS SS SB 618, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allred	Anderson	Andrews	Bangert	Baringer
Barnes	Basye	Beck	Black 137	Black 7
Bondon	Brown 27	Brown 70	Busick	Butz
Chappelle-Nadal	Coleman 32	Coleman 97	Cupps	Dinkins
Dohrman	Eggleston	Ellebracht	Eslinger	Evans
Falkner	Fishel	Fitzwater	Gannon	Gray
Green	Gregory	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Houx	Hovis	Justus	Kelley 127
Kelly 141	Kidd	Knight	Kolkmeyer	Love
Lynch	Mayhew	McGaugh	McGirl	Miller
Morris 140	Morse 151	O'Donnell	Patterson	Pfautsch
Pike	Plocher	Pollitt 52	Porter	Reedy
Rehder	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rone	Rowland	Ruth
Schnelting	Sharpe 4	Shaul 113	Shields	Solon
Sommer	Swan	Tate	Trent	Veit
Vescovo	Walsh	Wiemann	Wood	Wright
Mr. Speaker				

NOES: 046

Bailey	Baker	Billington	Bosley	Bromley
Burnett	Carpenter	Chipman	Christofanelli	Deaton
DeGroot	Dogan	Grier	Gunby	Hill
Hudson	Hurst	Ingle	Lavender	Lovasco
Mackey	McCreery	McDaniel	Moon	Morgan
Mosley	Murphy	Neely	Pietzman	Pollock 123
Price	Proudie	Quade	Razer	Rogers
Ross	Schroer	Sharp 36	Smith	Spencer
Stacy	Stevens 46	Taylor	Unsicker	Wilson
Young				

PRESENT: 005

Appelbaum	Clemens	Merideth	Pierson Jr.	Sauls
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ABSENT WITH LEAVE: 020

Aldridge	Bland Manlove	Burns	Carter	Francis
Kendrick	Messenger	Mitten	Muntzel	Person
Pogue	Toalson Reisch	Runions	Sain	Shawan
Shull 16	Simmons	Stephens 128	Washington	Windham

VACANCIES: 001

Speaker Pro Tem Wiemann declared the bill passed.

Speaker Haahr resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS SCS HB 1768, as amended: Representatives Riggs, Miller, Francis, Roberts (77), and Pierson, Jr.

SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended: Representatives Schroer, Henderson, Patterson, Mitten, and Sauls

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (4): Baringer, Burnett, Morgan and Wood

Absent (0)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2555**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Anderson, Deaton, Gregory, Houx, Walsh and Wiemann

Noes (3): Baringer, Burnett and Morgan

Absent (1): Wood

THIRD READING OF HOUSE BILLS

HB 1710, relating to taxation, was taken up by Representative Eggleston.

Speaker Pro Tem Wiemann resumed the Chair.

On motion of Representative Eggleston, **HB 1710** was read the third time and passed by the following vote:

AYES: 111

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Brown 27	Busick	Chipman	Christofanelli
Coleman 32	Coleman 97	Cupps	Deaton	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Eslinger	Evans	Fishel	Fitzwater	Gannon
Green	Gregory	Grier	Griesheimer	Griffith
Haden	Haffner	Hannegan	Hansen	Helms
Henderson	Hicks	Hill	Houx	Hovis
Hudson	Ingle	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Lovasco	Love
Lynch	Mayhew	McGaugh	McGill	Morgan
Morris 140	Morse 151	Murphy	Neely	O'Donnell
Patterson	Pfautsch	Pietzman	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Razer	Reedy
Rehder	Toalson Reisch	Remole	Richey	Riggs
Roberts 161	Roden	Rone	Ross	Rowland
Ruth	Sauls	Schnelting	Schroer	Sharp 36
Sharpe 4	Shaul 113	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Swan
Tate	Taylor	Trent	Veit	Vescovo
Wiemann	Wilson	Wood	Wright	Young
Mr. Speaker				

NOES: 029

Appelbaum	Bangert	Baringer	Barnes	Beck
Bosley	Brown 70	Burnett	Butz	Carpenter
Chappelle-Nadal	Clemens	Falkner	Gray	Gunby
Hurst	Lavender	Mackey	McCreery	McDaniel
Merideth	Miller	Moon	Mosley	Pierson Jr.
Quade	Roberts 77	Rogers	Stevens 46	

PRESENT: 004

Bland Manlove	Proudie	Unsicker	Walsh
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ABSENT WITH LEAVE: 018

Aldridge	Burns	Carter	Francis	Kendrick
Messenger	Mitten	Muntzel	Person	Pogue
Price	Runions	Sain	Shawan	Shull 16
Stephens 128	Washington	Windham		

VACANCIES: 001

Speaker Pro Tem Wiemann declared the bill passed.

Speaker Haahr resumed the Chair.

HCS HB 2555, relating to cost transparency, was taken up by Representative Deaton.

On motion of Representative Deaton, **HCS HB 2555** was read the third time and passed by the following vote:

AYES: 147

Allred	Anderson	Andrews	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Busick	Butz	Carpenter	Chappelle-Nadal	Chipman
Christofanelli	Clemens	Coleman 32	Coleman 97	Cupps
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner
Fishel	Fitzwater	Francis	Gannon	Gray
Green	Gregory	Grier	Griesheimer	Griffith
Gunby	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Lavender	Lovasco	Love	Lynch
Mackey	Mayhew	McCreery	McGaugh	McGill
Merideth	Miller	Moon	Morgan	Morris 140
Morse 151	Mosley	Murphy	Neely	O'Donnell
Patterson	Person	Pfautsch	Pierson Jr.	Pietzman
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Price	Proudie	Quade	Razer	Reedy
Rehder	Toalson Reisch	Remole	Richey	Riggs
Roberts 161	Roberts 77	Roden	Rogers	Rone
Ross	Rowland	Ruth	Sauls	Schnelting
Schroer	Sharp 36	Sharpe 4	Shaul 113	Shields
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Veit	Vescovo	Walsh
Washington	Wiemann	Wilson	Wood	Wright
Young	Mr. Speaker			

NOES: 001

McDaniel

PRESENT: 000

ABSENT WITH LEAVE: 014

Aldridge	Appelbaum	Burns	Carter	Messenger
Mitten	Muntzel	Pogue	Runions	Sain
Shawan	Shull 16	Stephens 128	Windham	

VACANCIES: 001

Speaker Haahr declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 2046, as amended, relating to professional registration, was taken up by Representative Grier.

Representative Grier moved that the House refuse to adopt **SS HCS HB 2046, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Solon reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SCS SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (13): Aldridge, Bailey, Gannon, Ingle, Mackey, Moon, Neely, Pietzman, Rehder, Remole, Solon, Stacy and Unsicker

Noes (0)

Absent (0)

Committee on Transportation, Chairman Ruth reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 782**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Busick, Butz, Griesheimer, Griffith, Kolkmeier, Porter, Razer, Ruth and Sharpe (4)

Noes (2): Bromley and Hurst

Absent (3): Runions, Tate and Windham

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 867**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Busick, Griesheimer, Griffith, Kolkmeier, Porter, Ruth and Sharpe (4)

Noes (4): Bromley, Butz, Hurst and Razer

Absent (3): Runions, Tate and Windham

Committee on Veterans, Chairman Griffith reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SB 656**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (15): Barnes, Basye, Beck, Billington, Bromley, Dohrman, Gray, Griffith, Gunby, Lynch, O'Donnell, Pike, Schnelting, Solon and Wilson

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Veterans, to which was referred **SS SCS SB 718**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (15): Barnes, Basye, Beck, Billington, Bromley, Dohrman, Gray, Griffith, Gunby, Lynch, O'Donnell, Pike, Schnelting, Solon and Wilson

Noes (0)

Absent (0)

Committee on Rules - Administrative Oversight, Chairman Rehder reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bangert, Dogan, Haffner, Kelly (141), Lavender, Mitten, Rehder, Ruth, Schroer and Solon

Noes (0)

Absent (4): Carpenter, Coleman (97), Gregory and Patterson

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 551**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bangert, Dogan, Haffner, Kelly (141), Mitten, Rehder, Ruth, Schroer and Solon

Noes (1): Lavender

Absent (4): Carpenter, Coleman (97), Gregory and Patterson

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SCS SB 570**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Haffner, Kelly (141), Rehder, Ruth, Schroer and Solon

Noes (4): Bangert, Dogan, Lavender and Mitten

Absent (4): Carpenter, Coleman (97), Gregory and Patterson

REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 570 - Fiscal Review

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Thursday, May 7, 2020.

COMMITTEE HEARINGS

CONFERENCE COMMITTEE ON BUDGET

Thursday, May 7, 2020, 8:30 AM, Joint Hearing Room (117).

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

Conference Committee on Budget for SCS HS HCS HB 2002, as amended; SCS HS HCS HB 2003; SCS HS HCS HB 2004, as amended; SCS HS HCS HB 2005; SS SCS HS HCS HB 2006; SCS HS HCS HB 2007; SCS HS HCS HB 2008, as amended; SCS HS HCS HB 2009; SCS HS HCS HB 2010, as amended; SCS HS HCS HB 2011, as amended; SCS HS HCS HB 2012; and SCS HCS HB 2013. Live streaming will be available online at www.house.mo.gov.

CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, May 7, 2020, 8:00 AM, House Hearing Room 3.

Public hearing will be held: SB 831

Executive session will be held: SB 831

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

FISCAL REVIEW

Thursday, May 7, 2020, 9:30 AM, House Hearing Room 7.

Executive session will be held: SCS HCS HB 1655, HJR 77, HJR 78, HB 1710, HCS HB 2555, HCS SS SCS SB 594, HCS SB 676

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

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Monday, May 11, 2020, 10:30 AM, Joint Hearing Room (117).

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

Second quarter JCPER meeting.

JUDICIARY

Thursday, May 7, 2020, 12:00 PM or upon adjournment (whichever is later), House Hearing Room 3.

Public hearing will be held: SCS SB 578

Executive session will be held: SCS SB 578

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

RULES - LEGISLATIVE OVERSIGHT

Thursday, May 7, 2020, 9:30 AM, House Hearing Room 3.

Executive session will be held: SS#3 SJR 38, HCS SB 552

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

Location changed to HHR 3.

CANCELLED

SPECIAL COMMITTEE ON DISEASE CONTROL AND PREVENTION

Thursday, May 7, 2020, 4:00 PM, House Hearing Room 3.

Public hearing will be held: SB 846

Executive session will be held: SB 846

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

Removed HCB 14.

AMENDED

HOUSE CALENDAR

FIFTY-EIGHTH DAY, THURSDAY, MAY 7, 2020

HOUSE JOINT RESOLUTIONS FOR PERFECTION - INFORMAL

HJR 72 - Basye

HJR 89 - Lynch

HCS HJR 97 - Eggleston

HCS HJRs 101 & 76 - Plocher

HCS HJR 102 - Simmons

HCS HJR 87 - Miller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HB 2016 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 2273 - Deaton

HB 2564 - Taylor

HB 1733 - Christofanelli

HCS HB 1664 - Richey

HCS HB 1460 - Shaul (113)

HCS HB 2206 - Bondon

HB 1859 - Riggs

HCS HB 1891 - Schroer

HB 2220 - Dohrman

HCS HB 1709 - Eggleston

HCS HB 2261 - Patterson

HB 2317 - Christofanelli

HB 1619 - Porter

HB 1814 - McGaugh

HB 1853 - Dohrman

HCS HB 1995 - Morris (140)

HCS HB 2030 - Houx

HCS HB 2088 - Shaul (113)

HCS HB 2179 - Rehder
HB 1288 - Pike
HCS HBs 1300 & 1286 - Dinkins
HCS HB 2171 - Helms
HCS HB 1282 - Justus
HCS HB 1992 - Kidd
HB 2526 - Haffner
HB 2034 - Hannegan
HB 1572 - Barnes
HCS#2 HB 1957 - Eggleston
HB 2164 - Ross
HB 1366 - Ellebracht
HCS HB 1451 - Schroer
HCS HB 1484 - Rehder
HB 1543 - Black (137)
HB 1556 - Reedy
HCS HB 1583 - Haden
HCS HB 1620 - Shawan
HB 1632 - Porter
HCS HB 1292 - Dinkins
HB 1666 - Stevens (46)
HCS HB 1695 - Black (137)
HB 1699 - Knight
HCS HB 1701 - Reedy
HCS HB 1702 - O'Donnell
HCS HB 1713 - Griffith
HCS HBs 1809 & 1570 - Pollitt (52)
HCS HB 1819 - Wood
HB 1899 - Henderson
HCS HB 1960 - Coleman (97)
HCS HB 1999 - Black (7)
HB 2032 - Ruth
HCS HB 2092 - Bondon
HCS HBs 2100 & 1532 - Knight
HCS HB 2125 - Dinkins
HCS HB 2151 - Swan
HCS HBs 2204 & 2257 - Bondon
HCS HB 1485 - Rehder
HB 2249 - Basye
HCS HB 2305 - Ruth
HB 2334 - Ruth
HB 2352 - Aldridge
HB 1811 - Simmons
HB 1953 - Trent
HCS HB 1961 - Schroer

HCS HB 2038 - Patterson
HB 1613, as amended - Coleman (97)
HCS HB 2374 - Vescovo
HCS HB 2216 - Coleman (97)

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

HCR 59 - Chipman
HCR 61 - Love
HCR 71 - Sommer
HCR 60 - Griffith
HCR 74 - Roberts (77)
HCR 83 - Gannon
HCS HCR 68 - Justus

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 77, (Fiscal Review 5/5/20) - Eggleston
HJR 78, (Fiscal Review 5/5/20) - Eggleston

HOUSE BILLS FOR THIRD READING

HB 1403 - Hudson

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS HBs 1306 & 2065 - Neely
HCS HB 2209 - Schnelting
HCS HB 1858 - Haffner
HCS HBs 2241 & 2244 - Gregory
HCS HB 2111 - Anderson
HCS HB 2315, E.C. - Wright
HCS HB 1335 - Kelley (127)
HB 1342 - Roberts (161)
HCS HB 1442 - Helms
HB 1483 - Rehder
HB 1736 - Plocher
HB 1596 - Trent
HB 1654 - Sommer
HCS HB 1808 - Wood

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1935 - Miller
HB 1916 - Busick
HB 1270 - Unsicker

HB 1998 - Morse (151)
HB 2095 - Shawan
HB 2098 - Kolkmeier
HCS HB 2202 - Shields
HB 2300 - Coleman (32)
HB 2415 - Kolkmeier

SENATE BILLS FOR THIRD READING

HCS SS SB 580 - Swan
HCS SCS SBs 673 & 560 - Ross
HCS SB 544 - Patterson
HCS SS#2 SCS SB 523 - Roberts (161)
HCS SB 774 - Wood
HCS SS SCS SB 594, (Fiscal Review 5/5/20) - Black (137)
HCS SB 676, Fiscal Review (5/5/20) - Christofanelli
HCS SS SCS SB 570, (Fiscal Review 5/6/20) - Hicks
HCS SB 551 - Eggleston

SENATE BILLS FOR THIRD READING - INFORMAL

HCS SS SB 600, as amended, E.C. - Schroer
HCS SCS SB 725 - Henderson

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 32 - Griffith

HOUSE BILLS WITH SENATE AMENDMENTS

SS#2 HB 1693 - Rehder
SS SCS HB 1467 & HB 1934, as amended - Pike
SCS HCS HB 1655, (Fiscal Review 5/5/2020) - Kelly (141)

BILLS CARRYING REQUEST MESSAGES

SCS HS HCS HB 2002, as amended (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2003 (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2004, as amended (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2005 (request Senate recede/grant conference) - Smith
SS SCS HS HCS HB 2006 (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2007 (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2008, as amended (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2009 (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2010, as amended (request Senate recede/grant conference) - Smith

SCS HS HCS HB 2011, as amended (request Senate recede/grant conference) - Smith
SCS HS HCS HB 2012 (request Senate recede/grant conference) - Smith
SCS HCS HB 2013 (request Senate recede/grant conference) - Smith
SS HCS HB 2046, as amended (request Senate recede/grant conference) - Grier

BILLS IN CONFERENCE

SS SCS HB 1768, as amended - Riggs
SS#2 SCS HB 1450, HB 1296, HCS HB 1331 and HCS HB 1898, as amended - Schroer

HOUSE RESOLUTIONS

HR 4596 - Lynch

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 1 - Smith
CCS SCS HCS HB 2 - Smith
CCS#2 SCS HCS HB 3 - Smith
CCS SCS HCS HB 4 - Smith
CCS SCS HCS HB 5 - Smith
CCS SCS HCS HB 6 - Smith
CCS SS SCS HCS HB 7 - Smith
CCS SCS HCS HB 8 - Smith
CCS SCS HCS HB 9 - Smith
CCS SS SCS HCS HB 10 - Smith
CCS SCS HCS HB 11 - Smith
CCS SCS HCS HB 12 - Smith
SCS HCS HB 13 - Smith
HCS HB 17 - Smith
HCS HB 18 - Smith
HCS HB 19 - Smith

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