

JOURNAL OF THE HOUSE

First Regular Session, 98th GENERAL ASSEMBLY

FORTY-FOURTH DAY, TUESDAY, MARCH 31, 2015

The House met pursuant to adjournment.

Speaker Diehl in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In Him was life; and the life was the light of men. (John 1:4)

O God whose law is love, whose love is life, and whose life is the light of all, gather us who seek Your face. As we pray and as we work make us ever mindful of Your presence, ever eager to do Your will, ever enthusiastic about our love for our State.

In these hours we pray for men and women of good will, who with strength of character, sympathetic understanding, and an outreaching concern for the welfare of others are seeking to meet the needs of this day. Give them and give us the insight that lights the way to unity and with it the inspiration that leads us to become children of light.

Here in this House may we continue to work for a time when people shall not lift up sword against each other, when people shall learn to live together in peace, and when the spirit of good will abide in the hearts and minds of all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Loyal Kaeding, Joseph L. Ford, Hailee A. Ford, Madison E. Cunningham, McKinna N. Cunningham, Carter J. Cunningham, Jacob Vannahaman, and Samuel Brock Alexander.

The Journal of the forty-third day was approved as printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 149**, and has taken up and passed **HCS SS SCS SB 149**.

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SS SCS SB 149** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SECOND READING OF SENATE BILLS

The following Senate Bills were read the second time:

SB 254, relating to the World War I memorial trust fund.

SB 272, relating to municipal commercial zones.

SCS SB 315, relating to urban school districts.

SB 318, relating to the designation of a highway.

SCS SB 340, relating to the determination of heirship.

SCS SB 380, relating to the money follows the person demonstration program.

SB 426, relating to community mental health liaisons.

SB 446, relating to Purple Heart license plates.

SB 458, relating to the renewal of licenses issued by the board of pharmacy.

PERFECTION OF HOUSE BILLS

HB 341, relating to the filing of ethics reports, was taken up by Representative Dugger.

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

House Amendment No. 1

AMEND House Bill No. 341, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the following:

"sections 130.011 and"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting immediately after the word "session," the following:

"and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session,"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "Section" and inserting in lieu thereof the following:

"Sections 130.011 and"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "session," the following:

"and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(6) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) "Closing date", the date through which a statement or report is required to be complete;

(9) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(12) "County", any one of the several counties of this state or the city of St. Louis;

(13) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or

opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(19) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state

or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(22) "Political action committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in [subdivision (28) of] this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee. **The term "committee" shall also include organizations exempt from taxation under 26 U.S.C. Section 501(c)(4), as amended, that accept contributions and make expenditures as described in this subdivision, and the annual aggregate amount of such expenditures consists of more than ten percent of the organization's assets:**

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by [subdivision (12) of] this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by [subdivision (12) of] this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, [continuing] **political action** committee, **exploratory committee**, and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the

retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures [in] **on** behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "[Continuing] **Political action** committee", a committee of continuing existence [which is not formed, controlled or directed by a candidate, and is a committee] other than a candidate committee [or], **political party committee**, campaign committee, **exploratory committee**, or **debt service committee**, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. ["Continuing committee"] **Such a committee** includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported [pursuant to subsection 2 of section 130.051] **as provided by law**;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory [committees] **committee**", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(20) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a state, **congressional** district, **or** county[, city, or area] **political action** committee of a political party, as [defined] **authorized** in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in [subdivision (3) of] this section."; and

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

Representative Corlew raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Dugger, **HB 341** was ordered perfected and printed.

HCS HBs 517 & 754, relating to the imposition of tax on gratuities, was taken up by Representative Higdon.

Speaker Pro Tem Hoskins assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 517 & 754, Page 1, In the Title, Line 3, by deleting the words "the imposition of tax on gratuities" and inserting in lieu thereof the word "taxation"; and

Further amend said bill, Section 143.191, Page 3, Line 59, by inserting after all of said section and line the following:

"143.801. 1. A claim for credit or refund of an overpayment of any tax imposed by sections 143.011 to 143.996 shall be filed by the taxpayer within three years from the time the return was filed or two years from the time the tax was paid, whichever of such periods expires the later; or if no return was filed by the taxpayer, within two years from the time the tax was paid. No credit or refund shall be allowed or made after the expiration of the period of limitation prescribed in this subsection for the filing of a claim for credit or refund, unless a claim for credit or refund is filed by the taxpayer within such period.

2. If the claim is filed by the taxpayer during the three-year period prescribed in subsection 1 **of this section**, the amount of the credit or refund shall not exceed the portion of the tax paid within the three years immediately preceding the filing of the claim plus the period of any extension of time for filing the return. If the claim is not filed within such three-year period, but is filed within the two-year period, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim. If no claim is filed, the credit or refund shall not exceed the amount which would be allowable under either of the preceding sentences, as the case may be, if a claim was filed on the date the credit or refund is allowed.

3. If pursuant to subsection 6 of section 143.711 an agreement for an extension of the period for assessment of income taxes is made within the period prescribed in subsection 1 of this section for the filing of a claim for credit or refund, the period for filing a claim for credit or for making a credit or refund if no claim is filed, shall not expire prior to six months after the expiration of the period within which an assessment may be made pursuant to the agreement or any extension thereof. The amount of such credit or refund shall not exceed the portion of the tax paid after the execution of the agreement and before the filing of the claim or the making of the credit or refund, as the case may be, plus the portion of the tax paid within the period which would be applicable under subsection 1 of this section if a claim had been filed on the date the agreement was executed.

4. If a taxpayer is required by section 143.601 to report a change or correction in federal taxable income reported on his federal income tax return, or to report a change or correction which is treated in the same manner as if it were an overpayment for federal income tax purposes, an amended return or a claim for credit or refund of any resulting overpayment of tax shall be filed by the taxpayer within one year from the time the notice of such change or correction or such amended return was required to be filed with the director of revenue. If the report or amended return required by section 143.601 is not filed within the ninety-day period therein specified, interest on any resulting refund or credit shall cease to accrue after such ninetieth day. The amount of such credit or refund shall not exceed the amount of the reduction in tax attributable to:

(1) The issues on which such federal change or correction or the items amended on the taxpayer's amended federal income tax return are based[,] ; and

(2) Any change in the amount of [his] **the taxpayer's** federal income tax deduction under the provisions of subsection 1 of section 143.171. No effect shall be given in the preceding sentence to any federal change or correction or to any item on an amended return unless it is timely under the applicable federal period of limitations. The time and amount provisions of this subsection shall be in lieu of any other provisions of this section. This

subsection shall not affect the time within which or the amount for which a claim for credit or refund may be filed apart from this subsection.

5. If the claim for credit or refund relates to an overpayment of tax on account of the deductibility by the taxpayer of a debt as a debt which became worthless or a loss from worthlessness of a security or the effect that the deductibility of a debt or of a loss has on the application to the taxpayer of a carryover, the claim may be made, under regulations prescribed by the director of revenue within seven years from the date prescribed by law for filing the return for the year with respect to which the claim is made.

6. If the claim for credit or refund relates to an overpayment attributable to a net operating loss carryback or a capital loss carryback, in lieu of the three-year period of limitations prescribed in subsection 1 of this section, the period shall be that period which ends with the expiration of the fifteenth day of the fortieth month (or the thirty-ninth month, in the case of a corporation) following the end of the taxable year of the net operating loss or net capital loss which results in such carryback, or the period prescribed in subsection 3 of this section in respect of such taxable year, whichever expires later. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in subsections 2, 3 and 4 of this section, whichever is applicable, to the extent of the amount of the overpayment attributable to such carryback.

7. (1) No period of limitations provided in subsections 1 to 6 of this section shall apply if the director of revenue examines or causes to have examined any return filed and retained under section 143.971 and:

(a) Such examination is conducted after any period of limitations provided in subsections 1 to 6 of this section has expired;

(b) Such examination reveals that the taxpayer is eligible to claim a credit or refund of an overpayment of any tax imposed under this chapter; and

(c) A period of limitations provided in subsections 1 to 6 of this section prohibits the taxpayer from claiming such credit or refund.

(2) The director shall notify the taxpayer of any overpayment discovered under this subsection and inform the taxpayer of the procedure for filing a claim for a credit or refund of such overpayment. If the taxpayer files a claim for such credit or refund, the claim shall be filed in the manner provided in this chapter and shall be filed within one year from the time the director provided notice to the taxpayer."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 517 & 754, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "relating to taxation."; and

Further amend said bill, Page 3, Section 143.191, Line 59, by inserting immediately after said line the following:

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

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

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

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

5. Under section 23.253 of the Missouri sunset act:

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

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

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

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

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

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 517 & 754, Page 1, Lines 9-27, by deleting all of said lines and inserting in lieu thereof the following:

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

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

Further amend said amendment by renumbering remaining subsections accordingly; and

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

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

On motion of Representative Ellington, **House Amendment No. 2, as amended**, was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 517 & 754, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "relating to taxation."; and

Further amend said bill, Pages 4, Section 144.020, Line 63, by inserting immediately after said line the following:

"3. (1) In addition to all other taxes imposed under this chapter, a tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of such additional tax shall be equivalent to one percent of the purchase price of all tangible personal property or taxable services rendered at retail in this state that are taxable under this section.

(2) There is hereby created in the state treasury the "Peace Officer Video Camera Sales Tax Fund", which shall consist of money collected under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely as provided in this subsection and section 590.715. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

590.715. 1. All uniformed law enforcement officers in this state shall wear a video camera affixed to the law enforcement officer's uniform while on duty. The video camera shall record the interaction between a law enforcement officer and a member of the public. The recording shall include both audio and video.

2. All law enforcement agencies shall preserve any recordings made by a video camera under this section for a minimum of thirty days and shall develop any policies and procedures necessary to execute the provisions of this section.

3. The provisions of this section shall not apply to detectives or other law enforcement officers while they are working in an undercover capacity, or to any law enforcement officer in any situation where the wearing of such a video camera would endanger the safety of the officer or the public."; and

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

Representative Ellington moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Johnson:

AYES: 007

Colona	Ellington	Gardner	Mims	Pace
Smith	Walton Gray			

NOES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Chipman	Cierpiot	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Gosen	Green	Haahr
Haefner	Hansen	Harris	Hicks	Higdon

Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hummel	Hurst	Johnson	Jones
Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	Mathews
May	McCaherty	McCreery	McDaniel	McDonald
McGaugh	McManus	Meredith	Messenger	Miller
Montecillo	Moon	Morris	Muntzel	Neely
Newman	Nichols	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pietzman	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Rizzo	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

PRESENT: 009

Arthur	Butler	Carpenter	Lavender	McCann Beatty
McNeil	Mitten	Norr	Peters	

ABSENT WITH LEAVE: 007

Dunn	Hubbard	Lichtenegger	Morgan	Redmon
Roden	Roeber			

VACANCIES: 001

On motion of Representative Higdon, **HCS HBs 517 & 754, as amended**, was adopted.

On motion of Representative Higdon, **HCS HBs 517 & 754, as amended**, was ordered perfected and printed.

HB 675, relating to municipal commercial zones, was taken up by Representative Rowden.

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

House Amendment No. 1

AMEND House Bill No. 675, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"motor vehicles."; and

Further amend said bill, Page 3, Section 304.190, Line 72, by inserting after all of said line the following:

"304.820. 1. Except as otherwise provided in this section, no person [twenty-one years of age or younger] operating a **noncommercial** moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message, **unless the device is equipped with technology allowing for voice-recognition hands-free texting and is being used in such manner**.

2. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a hand-held mobile telephone.

3. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a wireless communications device to send, read, or write a text message or electronic message.

4. The provisions of subsection 1 through subsection 3 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:

(a) Report illegal activity;

(b) Summon medical or other emergency help;

(c) Prevent injury to a person or property; or

(d) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.

5. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a noncommercial motor vehicle upon the highways of this state.

6. As used in this section, "electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication devices. "Electronic message" includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

7. As used in this section, "hand-held electronic wireless communications device" includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.

8. As used in this section, "making or taking part in a telephone call" means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.

9. As used in this section, "send, read, or write a text message or electronic message" means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.

10. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302.

11. The state preempts the field of regulating the use of hand-held electronic wireless communications devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices by the operator of a motor vehicle.

12. The provisions of this section shall not apply to:

(1) The operator of a vehicle that is lawfully parked or stopped;

(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;

(3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;

(4) The use of voice-operated technology;

(5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service."; and

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

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

The Chair ruled the point of order well taken.

On motion of Representative Rowden, **HB 675** was ordered perfected and printed.

HCS HB 769, relating to direct health care services, was taken up by Representative Frederick.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 769, Page 2, Section 376.1800, Lines 23 through 26, by deleting all of said lines and inserting in lieu thereof the following:

**"(6) Specify the period of time under the agreement; and
(7) Prominently state in writing that the agreement is not health insurance."**; and

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
English	Entlicher	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr
Haefner	Hansen	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Justus	Keeney	Kelley
Kidd	King	Koenig	Kolkmeier	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Pogue	Reiboldt	Remole	Rhoads
Richardson	Roden	Rone	Ross	Rowland
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr				

NOES: 041

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

PRESENT: 000

ABSENT WITH LEAVE: 015

Bondon	Dunn	Engler	Fitzpatrick	Fitzwater 144
Hubbard	Jones	Lauer	Morgan	Redmon
Rehder	Roeber	Rowden	Webber	Mr. Speaker

VACANCIES: 001

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

On motion of Representative Frederick, **HCS HB 769, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 769, as amended**, was ordered perfected and printed.

On motion of Representative Richardson, the House recessed until 2:30 p.m.

AFTERNOON SESSION

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

PERFECTION OF HOUSE BILLS

HB 271, with House Committee Amendment No. 1, relating to authority of the state auditor, was taken up by Representative Hoskins.

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

On motion of Representative Hoskins, **HB 271, as amended**, was ordered perfected and printed.

HB 279, relating to the sale of draft beer, was taken up by Representative Cornejo.

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

House Amendment No. 1

AMEND House Bill No. 279, Page 3, Section 311.201, Line 57, by inserting after all of said section the following:

"311.550. 1. In addition to all other licenses and charges, there shall be paid to and collected by the director of revenue charges as follows:

(1) For the privilege of selling in the state of Missouri spirituous liquors, including brandy, rum, whiskey, and gin, and other spirituous liquors and alcohol for beverage purposes, there shall be paid, and the director of revenue shall be entitled to receive, the sum of two dollars per gallon or fraction thereof;

(2) For the privilege of selling wines, the sum of thirty cents per gallon to the credit of the agriculture protection fund created under section 261.200 to be used solely for agricultural business development and marketing-related functions of the department of agriculture;

(3) For the privilege of selling beer and malt liquor, the sum of eight cents per gallon.

2. The person who shall first sell such liquor to any person in this state shall be liable for the payment, except that no refund of any tax collected and remitted to the director of revenue by a retail seller upon gross receipts from a sale of beer, liquor or wine subject to the charges contained in sections 311.520, 311.550 and 311.554 shall be claimed for refund under chapter 144 for any amount illegally or erroneously overcharged or overcollected as a result of imposition of sales tax by the retail seller upon amounts representing the charges imposed under this chapter.

3. Any person who sells to any person within this state any intoxicating liquors mentioned in subdivision (1) of subsection 1, unless the charge hereby imposed is paid, is guilty of a felony and shall be punished by imprisonment by the state department of corrections for a term of not less than two years nor more than five years, or by imprisonment in the county jail for a term of not less than one month nor more than one year, or by a fine of not less than fifty dollars nor more than one thousand dollars, or by both such fine and imprisonment.

4. It shall be unlawful for any person to remove the contents of any container containing any of the intoxicating liquors mentioned in subdivision (1) of subsection 1 without destroying such container, or to refill any such container, in whole or in part, with any of the liquors mentioned in subdivision (1) of subsection 1. Any person violating the provisions of this subsection shall be guilty of a misdemeanor.

5. Every manufacturer, out-state solicitor and wholesale dealer licensed under this chapter shall make a true duplicate invoice of the same, showing the date, amount and value of each class of such liquors shipped or delivered, and retain a duplicate thereof, subject to the use and inspection of the supervisor of liquor control and his representatives for two years.

6. Any person who shall sell in this state any intoxicating liquor without first having procured a license from the supervisor of liquor control authorizing him to sell such intoxicating liquor is guilty of a felony and upon conviction shall be punished by imprisonment by the state department of corrections for a term of not less than two years nor more than five years, or by imprisonment in the county jail for a term of not less than three months nor more than one year, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment."; and

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

Representative Norr moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 009

Curtis	Kirkton	McCann Beatty	McNeil	Montecillo
Newman	Nichols	Norr	Pace	

NOES: 136

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

Marshall	Mathews	May	McCreery	McDaniel
McGaugh	McManus	Meredith	Messenger	Mims
Mitten	Moon	Morris	Muntzel	Neely
Otto	Pfautsch	Phillips	Pierson	Pietzman
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roden
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor	Vescovo	Walker
Walton Gray	White	Wiemann	Wilson	Zerr
Mr. Speaker				

PRESENT: 002

Kendrick Peters

ABSENT WITH LEAVE: 015

Bondon	Cross	Ellington	Gardner	Hubbard
McCaherty	McDonald	Miller	Morgan	Parkinson
Roeber	Smith	Spencer	Webber	Wood

VACANCIES: 001

On motion of Representative Cornejo, **HB 279** was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 16, relating to recognizing September 2015 as Missouri Whole Child Month, was taken up by Representative Gannon.

On motion of Representative Gannon, **HCR 16** was read the third time and passed by the following vote:

AYES: 142

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gosen	Green
Haahr	Haefner	Hansen	Harris	Hicks
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hummel	Hurst	Johnson	Jones
Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lavender
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCann Beatty	McCreery	McDaniel
McGaugh	McManus	McNeil	Meredith	Messenger

Mims	Mitten	Montecillo	Moon	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roden	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Swan	Taylor	Vescovo
Walker	Walton Gray	White	Wiemann	Wilson
Zerr	Mr. Speaker			

NOES: 001

Pogue

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bondon	Dugger	Ellington	Flanigan
Gardner	Higdon	Hubbard	Lauer	McCaherty
McDonald	Miller	Morgan	Parkinson	Roeber
Smith	Spencer	Webber	Wood	

VACANCIES: 001

Speaker Diehl declared the bill passed.

HCR 29, relating to the National Historic Trails System, was taken up by Representative Love.

On motion of Representative Love, **HCR 29** was read the third time and passed by the following vote:

AYES: 144

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Bead	Bernskoetter	Berry	Black	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gosen	Green
Haefner	Hansen	Harris	Hicks	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hummel	Hurst	Johnson	Justus	Keeney
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McGaugh	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Montecillo	Moon	Morris

Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Rizzo	Roden	Rone	Ross	Rowden
Rowland	Runions	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Swan	Taylor
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Zerr	Mr. Speaker	

NOES: 001

Pogue

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Bondon	Carpenter	Ellington	Flanigan
Gardner	Haahr	Higdon	Hubbard	Jones
McDonald	Miller	Morgan	Roeber	Smith
Spencer	Wood			

VACANCIES: 001

Speaker Diehl declared the bill passed.

HCR 28, relating to the Child Nutrition Act Reauthorization in 2015, was taken up by Representative Houghton.

On motion of Representative Houghton, **HCR 28** was read the third time and passed by the following vote:

AYES: 133

Alferman	Allen	Anderson	Andrews	Arthur
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Brattin	Brown 57
Brown 94	Burlison	Burns	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Green	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kendrick	Kidd	King	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Lavender	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McCann Beatty
McDaniel	McGaugh	McManus	Meredith	Messenger
Miller	Mims	Moon	Morris	Muntzel
Neely	Nichols	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder

1170 *Journal of the House*

Reiboldt	Remole	Rhoads	Richardson	Roden
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Swan	Taylor	Vescovo
Walker	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 022

Adams	Anders	Butler	Carpenter	Colona
Ellington	Gardner	Kirkton	LaFaver	May
McCreery	McDonald	McNeil	Mitten	Montecillo
Newman	Norr	Otto	Pace	Peters
Rizzo	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bondon	Engler	Hubbard	Morgan	Pietzman
Roeber	Spencer			

VACANCIES: 001

Speaker Diehl declared the bill passed.

HCR 27, relating to the designation of “Alpha Gamma Rho Day” in Missouri, was taken up by Representative McGaugh.

On motion of Representative McGaugh, **HCR 27** was read the third time and passed by the following vote:

AYES: 138

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Basye	Beard
Bernskoetter	Berry	Black	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Chipman
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dunn	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fraker
Franklin	Frederick	Gannon	Gosen	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Keeney	Kelley	Kendrick	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lavender	Leara	Lichtenegger
Love	Lynch	Mathews	May	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Redmon	Rehder

Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roden	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Swan	Taylor
Vescovo	Walker	Walton Gray	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 009

Allen	Barnes	Carpenter	Curtis	Flanigan
Marshall	Moon	Pogue	White	

PRESENT: 004

Ellington	Gardner	Green	Webber
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ABSENT WITH LEAVE: 011

Bondon	Dugger	Engler	Fitzwater 49	Haahr
Hubbard	Kidd	Lauer	Morgan	Roeber
Spencer				

VACANCIES: 001

Speaker Diehl declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 873, relating to the designation of a memorial highway, was taken up by Representative Johnson.

On motion of Representative Johnson, **HB 873** was read the third time and passed by the following vote:

AYES: 149

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dunn	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Gardner
Gosen	Green	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCaherty	McCann Beatty
McCreery	McDaniel	McDonald	McGaugh	McManus

1172 *Journal of the House*

Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roden	Rone	Ross	Rowden	Rowland
Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Swan	Taylor
Vescovo	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 000

PRESENT: 002

Ellington Flanigan

ABSENT WITH LEAVE: 011

Bondon	Dugger	Haahr	Hubbard	Lauer
Leara	McNeil	Morgan	Roeber	Spencer
Walton Gray				

VACANCIES: 001

Speaker Diehl declared the bill passed.

Speaker Pro Tem Hoskins resumed the Chair.

HB 34, relating to the designation of a memorial highway, was taken up by Representative Walker.

On motion of Representative Walker, **HB 34** was read the third time and passed by the following vote:

AYES: 146

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

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

NOES: 000

PRESENT: 002

Curtis	Ellington
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ABSENT WITH LEAVE: 014

Bondon	Butler	Flanigan	Haahr	Hubbard
Jones	Lauer	Leara	Mitten	Morgan
Roeber	Rowden	Shumake	Spencer	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 326, relating to defined benefit pension plans, was taken up by Representative Leara.

On motion of Representative Leara, **HB 326** was read the third time and passed by the following vote:

AYES: 146

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
Ellington	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Franklin	Frederick	Gannon
Gardner	Gosen	Green	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Justus	Keeney	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lavender	Leara	Love	Lynch
Mathews	May	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGaugh	McManus	McNeil

1174 *Journal of the House*

Meredith	Messenger	Miller	Mims	Montecillo
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pietzman	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Rizzo	Roden	Rone	Ross
Rowden	Rowland	Runions	Ruth	Shaul
Shull	Smith	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr				

NOES: 003

Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bondon	Flanigan	Fraker	Haahr	Hubbard
Jones	Lauer	Lichtenegger	Mitten	Morgan
Roeber	Shumake	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 515, relating to police retirement systems, was taken up by Representative Leara.

On motion of Representative Leara, **HB 515** was read the third time and passed by the following vote:

AYES: 142

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Brattin
Brown 57	Brown 94	Burlison	Burns	Carpenter
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gardner	Gosen
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus
Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lavender	Leara
Love	Lynch	Mathews	May	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morris
Muntzel	Neely	Newman	Nichols	Norr

Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pietzman	Pike	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Rone
Ross	Rowden	Rowland	Runions	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr			

NOES: 006

Butler	Curtis	Ellington	Marshall	Peters
Pogue				

PRESENT: 001

Green

ABSENT WITH LEAVE: 013

Barnes	Bondon	Haahr	Hubbard	Hummel
Lauer	Lichtenegger	Morgan	Redmon	Richardson
Roeber	Smith	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 629, relating to retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HB 629** was read the third time and passed by the following vote:

AYES: 146

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Brattin	Brown 57	Brown 94	Burlison	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gardner	Gosen	Green	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lavender	Leara	Lichtenegger	Love
Lynch	Mathews	May	McCaherty	McCann Beatty
McCreery	McDaniel	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mims
Montecillo	Moon	Morris	Muntzel	Neely

1176 *Journal of the House*

Newman	Nichols	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Rehder	Reiboldt	Remole	Rhoads
Richardson	Rizzo	Roden	Rone	Ross
Rowden	Rowland	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr				

NOES: 002

Marshall Pogue

PRESENT: 000

ABSENT WITH LEAVE: 014

Bondon	Burns	Curtis	Haahr	Hubbard
LaFaver	Lauer	Mitten	Morgan	Norr
Redmon	Roeber	Smith	Mr. Speaker	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 522, relating to the designation of a highway, was taken up by Representative Cookson.

On motion of Representative Cookson, **HB 522** was read the third time and passed by the following vote:

AYES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Black	Brown 57	Brown 94
Burlison	Burns	Butler	Carpenter	Chipman
Cierpiot	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Gardner
Gosen	Green	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kendrick	King	Kirkton	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lavender
Love	Lynch	Mathews	May	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Montecillo	Moon	Morris	Muntzel
Neely	Newman	Nichols	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Pogue	Rehder	Reiboldt

Remole	Rhoads	Richardson	Rizzo	Roden
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	

NOES: 002

Kratky	Marshall
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PRESENT: 003

Colona	Ellington	Flanigan
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ABSENT WITH LEAVE: 018

Barnes	Berry	Bondon	Brattin	Curtis
Engler	Haahr	Hubbard	Kidd	Lauer
Leara	Lichtenegger	Mitten	Morgan	Norr
Redmon	Roeber	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 686, relating to junking certificates on motor vehicles, was taken up by Representative Hinson.

On motion of Representative Hinson, **HB 686** was read the third time and passed by the following vote:

AYES: 143

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Gosen	Green	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lavender	Leara	Lichtenegger
Love	Lynch	Mathews	May	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Moon	Morris	Muntzel
Neely	Newman	Nichols	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson

1178 *Journal of the House*

Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roden
Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	White	Wiemann
Wilson	Wood	Zerr		

NOES: 005

Ellington	Gardner	Marshall	Montecillo	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 014

Bondon	Brattin	Conway 104	Curtis	Engler
Haahr	Haefner	Hubbard	Lauer	Morgan
Norr	Roeber	Webber	Mr. Speaker	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 775, relating to the designation of a memorial highway, was taken up by Representative Fitzwater (144).

On motion of Representative Fitzwater (144), **HB 775** was read the third time and passed by the following vote:

AYES: 145

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gosen	Green	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hummel	Hurst
Johnson	Jones	Keeney	Kelley	Kendrick
Kidd	King	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGaugh	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roden

Rone	Ross	Rowden	Rowland	Runions
Ruth	Shaul	Shull	Shumake	Smith
Solon	Sommer	Spencer	Swan	Taylor
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 016

Austin	Bondon	Brattin	Curtis	Engler
English	Flanigan	Gardner	Haahr	Hubbard
Justus	Lauer	Leara	Morgan	Morris
Roeber				

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 859, relating to the designation of Jackie Robinson Day, was taken up by Representative Dunn.

On motion of Representative Dunn, **HB 859** was read the third time and passed by the following vote:

AYES: 149

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Ellington	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gosen	Green
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hummel	Hurst	Johnson	Jones
Keeney	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lavender	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pietzman	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roden	Rone

1180 *Journal of the House*

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

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Austin	Bondon	Curtis	Engler	Flanigan
Gardner	Haahr	Hubbard	Justus	Lauer
Morgan	Morris	Roeber		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

HB 874, relating to the designation of public holidays, was taken up by Representative Remole.

On motion of Representative Remole, **HB 874** was read the third time and passed by the following vote:

AYES: 135

Alferman	Allen	Anders	Anderson	Andrews
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Chipman
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Dunn
Eggleston	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gosen	Green	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hummel	Hurst
Johnson	Jones	Justus	Keeney	Kelley
Kidd	King	Koenig	Kolkmeier	Korman
Kratky	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McDonald	McGaugh
McNeil	Meredith	Messenger	Miller	Mims
Moon	Morris	Muntzel	Neely	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pietzman	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Rizzo	Roden	Rone	Ross	Rowden
Rowland	Runions	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	Walton Gray	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 013

Adams	Carpenter	Ellington	Gardner	Kirkton
LaFaver	May	McCreery	Montecillo	Newman
Pace	Peters	Smith		

PRESENT: 006

Arthur	Kendrick	McCann Beatty	McManus	Mitten
Webber				

ABSENT WITH LEAVE: 008

Bondon	Curtis	Engler	Flanigan	Haahr
Hubbard	Morgan	Roeber		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 793, relating to the designation of the official state work chronicling the 1993 flood, was taken up by Representative Rizzo.

HB 793 was laid over.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 34 - Fiscal Review
HJR 33 - Transportation
HJR 42 - Transportation
HJR 49 - Emerging Issues
HJR 50 - Consumer Affairs
HJR 52 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 675 - Fiscal Review
HB 102 - Transportation
HB 262 - Health Insurance
HB 412 - Higher Education
HB 413 - Elementary and Secondary Education
HB 544 - Workforce Standards and Development
HB 560 - Workforce Standards and Development
HB 595 - Public Safety and Emergency Preparedness

- HB 724** - Emerging Issues
- HB 738** - Transportation
- HB 772** - Civil and Criminal Proceedings
- HB 788** - Workforce Standards and Development
- HB 801** - Trade and Tourism
- HB 806** - Transportation
- HB 822** - Energy and the Environment
- HB 823** - Transportation
- HB 839** - Telecommunications
- HB 840** - Civil and Criminal Proceedings
- HB 851** - Emerging Issues
- HB 854** - Agriculture Policy
- HB 858** - Civil and Criminal Proceedings
- HB 862** - Small Business
- HB 863** - Small Business
- HB 901** - Economic Development and Business Attraction and Retention
- HB 905** - Higher Education
- HB 911** - Health Insurance
- HB 914** - Emerging Issues in Education
- HB 916** - Civil and Criminal Proceedings
- HB 967** - Public Safety and Emergency Preparedness
- HB 969** - Public Safety and Emergency Preparedness
- HB 971** - Public Safety and Emergency Preparedness
- HB 974** - Public Safety and Emergency Preparedness
- HB 991** - Elementary and Secondary Education
- HB 995** - Transportation
- HB 1015** - Ways and Means
- HB 1090** - Children and Families
- HB 1159** - Professional Registration and Licensing
- HB 1165** - Higher Education
- HB 1175** - Utility Infrastructure
- HB 1208** - Local Government
- HB 1220** - Civil and Criminal Proceedings
- HB 1251** - Civil and Criminal Proceedings
- HB 1252** - Civil and Criminal Proceedings
- HB 1254** - Higher Education
- HB 1266** - Transportation
- HB 1270** - Property, Casualty, and Life Insurance
- HB 1271** - Banking
- HB 1288** - Consumer Affairs
- HB 1289** - Consumer Affairs
- HB 1290** - Health and Mental Health Policy
- HB 1324** - Government Oversight and Accountability

HB 1332 - Local Government
HB 1341 - Emerging Issues
HB 1360 - Ways and Means

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 19 - Ways and Means
SCS SB 35 - Health and Mental Health Policy
SCS SB 38 - Government Oversight and Accountability
SB 68 - Local Government
SB 104 - Elections
SS SCS SB 115 - Ways and Means
SS SCS SB 122 - Health and Mental Health Policy
SCS SB 152 - Energy and the Environment
SB 205 - Property, Casualty, and Life Insurance
SB 221 - Local Government
SCS SB 270 - Pensions

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Houghton reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(2) be referred to the Select Committee on Agriculture.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1184**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(2) be referred to the Select Committee on Agriculture.

House Committee Amendment No. 1

AMEND House Bill No. 1184, Page 5, Section 348.407, Line 63, by inserting after all of said section and line the following:

"Section B. The repeal and reenactment of section A of this act shall become effective January 1, 2016.";
and

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

Committee on Economic Development and Business Attraction and Retention, Chairman Rowden reporting:

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 253**, begs leave to report it has examined the same and

recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 803**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

House Committee Amendment No. 1

AMEND House Bill No. 803, Page 3, Section 135.750, Line 56, by deleting the words "**ten percent**"; and

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

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 1312**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Committee on Emerging Issues, Chairman Haahr reporting:

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **HB 1024**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **HB 1074**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Committee on Emerging Issues in Education, Chairman Rowland reporting:

Mr. Speaker: Your Committee on Emerging Issues in Education, to which was referred **HB 311**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

House Committee Amendment No. 1

AMEND House Bill No. 311, Pages 1-2, Section 160.1000, Lines 3-18, by deleting all of said lines and inserting in lieu thereof the following:

"2. The department of elementary and secondary education shall develop a "High Performance Energy Benchmarking Act Award" program to recognize:

(1) Missouri public school districts and schools that benchmark using the Energy Star program, co-sponsored by the United States Department of Energy and the United States Environmental Protection Agency. The department of elementary and secondary education shall post the names of these school districts and schools on its website; and

(2) Missouri public school districts and schools that achieve Energy Star national recognition. The department of elementary and secondary education shall publicize the names of these school districts and schools.

3. The department of elementary and secondary education may further recognize the schools and school districts described under subsection 2 of this section in ways not specifically listed in that subsection.

4. Beginning September 1, 2015, the department of elementary and secondary education shall annually notify all Missouri public school districts and school boards of the high performance energy benchmarking act award established under subsection 2 of this section. Each participating school district and school shall use the free online portfolio manager provided by Energy Star to generate an efficiency benchmark rating. Each participating district shall maintain a database of results for each school building and report results to their respective boards of education and to the department of elementary and secondary education.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after August 28, 2015, unless reauthorized by an act of the general assembly; and

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

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

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

Mr. Speaker: Your Committee on Emerging Issues in Education, to which was referred **HB 658**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

House Committee Amendment No. 1

AMEND House Bill No. 658, Page 1, Section 170.350, Line 3, by inserting immediately after the word "of" in the second instance the following:

",or in collaboration with"; and

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

Committee on Energy and the Environment, Chairman Miller reporting:

Mr. Speaker: Your Committee on Energy and the Environment, to which was referred **HB 923**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(14) be referred to the Select Committee on Utilities.

Committee on Public Safety and Emergency Preparedness, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 358**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 762**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

House Committee Amendment No. 1

AMEND House Bill No. 762, Page 1, Section 610.057, Lines 1-9, by deleting all of said lines and inserting in lieu thereof the following:

"590.810. 1. No law enforcement agency shall be required by the state to provide mobile video recorders as defined in section 610.100 to officers employed by the agency, nor shall the state require any peace officer to wear such recorders.

2. Any law enforcement agency that utilizes a mobile video recorder shall have a written policy on the use of the recorders.

610.100. 1. As used in sections 610.100 to 610.150, the following words and phrases shall mean:

(1) "Arrest", an actual restraint of the person of the defendant, or by his or her submission to the custody of the officer, under authority of a warrant or otherwise for a criminal violation which results in the issuance of a summons or the person being booked;

(2) "Arrest report", a record of a law enforcement agency of an arrest and of any detention or confinement incident thereto together with the charge therefor;

(3) "Inactive", an investigation in which no further action will be taken by a law enforcement agency or officer for any of the following reasons:

(a) A decision by the law enforcement agency not to pursue the case;

(b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;

(c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;

(4) "Incident report", a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;

(5) "Investigative report", a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties;

(6) **"Mobile video recorder", any system or device that captures visual signals that is capable of installation in a vehicle, vessel, or aircraft, or being worn or carried by personnel of a law enforcement agency and that includes, at a minimum, a camera and recording capabilities.**

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records. Notwithstanding any other provision of law other than the provisions of subsections 4, 5 and 6 of this section or section 320.083, investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within thirty days of the person's arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120. **Notwithstanding any other provision of law to the contrary, other than the provisions of subsections 4, 5, and 6 of this section or section 320.083, data from mobile video recorders in the possession of law enforcement agencies are closed records.**

3. Except as provided in subsections 4, 5, 6 and 7 of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

4. Any person, including a family member of such person within the first degree of consanguinity if such person is deceased or incompetent, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain any records closed pursuant to this section or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

5. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of the information contained in an investigative report of any law enforcement agency **or data in the possession of a law enforcement agency from a mobile video recorder**, which would otherwise be closed pursuant to this section. The court may order that all or part of the information contained in an investigative report **or the data from a mobile video recorder** be released to the person bringing the action. In making the determination as to whether information contained in an investigative report **or data from a mobile video recorder** shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report **or captured in the data from the mobile video recorder** in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity. The investigative report **or mobile video recorder** in question may be examined by the court in camera. The court may find that the party seeking disclosure of the investigative report **or mobile video recorder** shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the investigative report **or mobile video recorder** was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

6. Any person may apply pursuant to this subsection to the circuit court having jurisdiction for an order requiring a law enforcement agency to open incident reports and arrest reports being unlawfully closed pursuant to this section. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has knowingly violated this section, the officer or agency shall be subject to a civil penalty in an amount up to one

thousand dollars. If the court finds that there is a knowing violation of this section, the court may order payment by such officer or agency of all costs and attorneys' fees, as provided by section 610.027. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has purposely violated this section, the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the law enforcement officer or agency has violated this section previously.

7. The victim of an offense as provided in chapter 566 may request that his or her identity be kept confidential until a charge relating to such incident is filed."; and

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

Mr. Speaker: Your Committee on Public Safety and Emergency Preparedness, to which was referred **HB 842**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Committee on Transportation, Chairman Kolkmeier reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 278**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 694**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

House Committee Amendment No. 1

AMEND House Bill No. 694, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words, "the registration of motor vehicles."; and

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

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

- (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;
- (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- (10) "Director" or "director of revenue", the director of the department of revenue;
- (11) "Driveaway operation":
- (a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
- (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or
- (c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;
- (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;
- (13) "Farm tractor", a tractor used exclusively for agricultural purposes;
- (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;
- (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;
- (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;
- (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;
- (20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;
- (21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;
- (22) "Junk vehicle", a vehicle which:
- (a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap[, and shall not be titled or registered]; **or**
- (b) **Has been designated as junk or a substantially equivalent designation by this state or any other state;**
- (23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;
- (24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:
- (a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or
- (b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;
- (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of

a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(34) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(35) "Motorcycle", a motor vehicle operated on two wheels;

(36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(38) "Municipality", any city, town or village, whether incorporated or not;

(39) "Nonresident", a resident of a state or country other than the state of Missouri;

(40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(41) "Operator", any person who operates or drives a motor vehicle;

(42) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon

performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(43) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(45) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(46) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

(48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(49) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(52) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(53) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, page, Section 301.067, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

"in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of economic development. The fees for tractors used in any combination with trailers or"; and

Further amend said bill, page, section, Line 16, by inserting after all of said section the following:

"301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer's model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser [may] **shall** forward to the director of revenue the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate [to the purchaser of the vehicle], **which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or junk.** The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such certificate may be granted within thirty days of the submission of a request.

3. [Upon receipt of a properly completed application for a junking certificate, the director of revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title shall not again be issued for such vehicle; except that, the initial purchaser] **For any junk vehicle, regardless of whether such designation has been subsequently changed erroneously or by law in this or any other state, the department shall only issue a junking certificate, and a salvage or original certificate of title shall not therefore be issued for such vehicle. If the vehicle has not previously been designated as a junk vehicle, the applicant making the original junking certification application** shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of title or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller's name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of title, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

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

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1091**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

Select Committee on Budget, Chairman Flanigan reporting:

Mr. Speaker: Your Select Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Social Services, Chairman Allen reporting:

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 672, with House Committee Amendment No. 1 and House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 684, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 787, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 832, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 965**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 976**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 996**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 12, as amended**, and has taken up and passed **HCS SS SCS SB 12, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS#2 SCS SB 24, as amended**. Senators: Sater, Romine, Riddle, Nasheed and Schupp.

ADJOURNMENT

On motion of Representative Richardson, the House adjourned until 10:00 a.m., Wednesday, April 1, 2015.

COMMITTEE HEARINGS

CIVIL AND CRIMINAL PROCEEDINGS

Wednesday, April 1, 2015, 12:00 PM, House Hearing Room 1.
Public hearing will be held: HB 45, HB 309, HB 335, HB 931, HB 1176
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES

Wednesday, April 1, 2015, 1:00 PM, House Hearing Room 5.
Public hearing will be held: HJR 20, HB 1080, HB 883, HB 1203, HB 1061, HB 1250
Executive session may be held on any matter referred to the committee.

EMPLOYMENT SECURITY

Wednesday, April 1, 2015, 9:00 AM, House Hearing Room 7.
Executive session will be held: HB 337
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 1, 2015, 9:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.
Executive Session on bill(s) referred to the committee.

FISCAL REVIEW

Thursday, April 2, 2015, 9:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.
Executive Session on bill(s) referred to the committee.

HEALTH AND MENTAL HEALTH POLICY

Wednesday, April 1, 2015, Upon Morning Recess or Noon, whichever is later, House Hearing Room 7.
Public hearing will be held: HB 1014, HB 922, HB 932, HB 1190
Executive session may be held on any matter referred to the committee.
Location subject to change if a hearing room becomes available.

CORRECTED

HEALTH INSURANCE

Wednesday, April 1, 2015, 8:00 AM, House Hearing Room 4.
Public hearing will be held: HB 1013, HB 1243
Executive session will be held: HB 816
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON AGRICULTURE

Wednesday, April 1, 2015, 12:30 PM, House Hearing Room 6.
Executive session will be held: HB 375, HB 1058, HB 955
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON COMMERCE

Wednesday, April 1, 2015, Upon Conclusion of Afternoon Session, House Hearing Room 7.
Executive session will be held: HB 389, HB 520, HB 892, HB 1070
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON COMMERCE

Thursday, April 2, 2015, 8:30 AM, South Gallery.
Executive session will be held: HB 1305, HB 1312
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON EDUCATION

Thursday, April 2, 2015, 8:00 AM, House Hearing Room 5.
Public hearing will be held: HB 383, HB 1110
Executive session will be held: HB 1083, HB 696, HB 921, HB 1023
Executive session may be held on any matter referred to the committee.
Public Testimony on HB 383 and HB 1110 will be accepted from 8:00-8:15AM. Comments are to be limited to the necessity of term limits, not length.

SELECT COMMITTEE ON FINANCIAL INSTITUTIONS AND TAXATION

Thursday, April 2, 2015, 9:00 AM, House Hearing Room 7.
Executive session will be held: HJR 9, HB 101, HB 411, HB 444, HB 759, HB 630, HB 940, HB 1086, HB 1087, HB 1134
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON GENERAL LAWS

Wednesday, April 1, 2015, Upon Conclusion of Morning Session, South Gallery.
Executive session will be held: HJR 24, HJR 4, HB 519, HB 583, HB 671, HB 1063, HCR 38, HB 634, HB 683, HB 1042, HB 884
Executive session may be held on any matter referred to the committee.
Adding HB 634.

AMENDED

SELECT COMMITTEE ON GENERAL LAWS

Thursday, April 2, 2015, 9:00 AM, South Gallery.
Executive session will be held: HB 137, HB 618, HB 619
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON JUDICIARY

Wednesday, April 1, 2015, 5:00 PM, House Hearing Room 1.

Executive session will be held: HB 356, HB 571, HB 734, HB 807

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

SELECT COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Wednesday, April 1, 2015, 5:00 PM or Upon Adjournment, whichever is later, House Hearing Room 3.

Executive session will be held: HB 195, HB 461

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

SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS

Thursday, April 2, 2015, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 67, HB 692, HB 1039, HB 322, HB 530, HB 741, HB 812, HB 981, HB 994, HB 164, HB 536, HB 1002, HB 218, HB 538, HB 702, HB 762, HB 868

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

SELECT COMMITTEE ON UTILITIES

Thursday, April 2, 2015, 8:30 AM, House Hearing Room 6.

Executive session will be held: HB 923, HB 1084

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

Reconsideration of HCS for HB 1084

TRADE AND TOURISM

Wednesday, April 1, 2015, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 1313

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

UTILITY INFRASTRUCTURE

Wednesday, April 1, 2015, 5:00 PM or Upon Adjournment, whichever is later, House Hearing Room 6.

Public hearing will be held: HB 1279, HB 824

Executive session will be held: HB 956

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

HOUSE CALENDAR

FORTY-FIFTH DAY, WEDNESDAY, APRIL 1, 2015

HOUSE BILLS FOR PERFECTION

HCS HB 138 - Reiboldt

HCS HB 587 - Dugger

HCS HB 181 - Haahr

HCS HB 497 - Austin

HB 410 - Kelley

HCS HB 478 - Fitzwater (144)

HCS HB 203 - Curtman
HCS HB 499 - Roden
HB 793 - Rizzo
HCS HBs 35 & 323 - Walker
HCS HB 110 - McCaherty
HB 210 - Conway (104)
HB 229 - McCaherty
HCS HB 258 - Reiboldt
HCS HB 296 - Kelley
HCS HB 319 - Barnes
HCS HB 321 - Jones
HB 324 - Shumake
HCS HB 339 - McGaugh
HCS HB 377 - Swan
HCS HB 380 - Swan
HB 473 - Higdon
HB 511 - Hough
HB 523 - Burlison
HCS HB 550 - Wood
HB 557 - Bahr
HCS HB 637 - Pfautsch
HCS HB 655 - Love
HB 676 - Rowden
HCS HB 712 - Solon
HB 743 - Shull
HB 776 - Higdon
HCS HB 811 - Richardson
HCS HB 882 - McGaugh
HB 918 - Johnson
HB 982 - Rowden
HCS HB 1019 - Austin

HOUSE BILLS FOR PERFECTION - CONSENT

(03/19/2015)

HB 501 - Montecillo
HB 567 - Dunn
HB 616 - Dohrman
HB 740 - Jones
HB 751 - Walker
HB 799 - Roeber
HB 836 - Ross
HB 875 - Hinson
HB 947 - Wiemann
HB 979 - Dugger
HB 1001 - Korman

1200 *Journal of the House*

HB 1052, HCA 1 - Miller

HB 1053 - Justus

HB 1098 - Crawford

(03/20/2015)

HB 134 - Rowland

HB 338 - McGaugh

HB 343, HCA 1 - Lair

HB 808, HCA 1 - Cornejo

HB 810, HCA 1 - Miller

HB 869 - Solon

HB 1010 - Brown (57)

HB 1076 - Brown (57)

HB 1116 - Rehder

HB 1119 - Redmon

HB 1127 - Johnson

HB 1149 - Lauer

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 18 - McCann Beatty

HCR 26 - Shull

HCR 34 - Rowland

HCR 35 - Reiboldt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 34, (Fiscal Review 3/31/15) - Burlison

HOUSE BILLS FOR THIRD READING

HB 582 - Curtis

HCS HB 513, (Fiscal Review 3/4/15) - McCaherty

HB 341 - Dugger

HB 675, (Fiscal Review 3/31/15) - Rowden

HB 279 - Cornejo

SENATE BILLS FOR THIRD READING

SS#2 SCS SB 11 - Rowden

BILLS IN CONFERENCE

HCS SS#2 SCS SB 24, as amended - Franklin