

MISSOURI
HOUSE OF REPRESENTATIVES

ROD JETTON
SPEAKER

**SUMMARIES OF
TRULY AGREED TO AND
FINALLY PASSED BILLS**

**94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
2007**



Prepared by
HOUSE RESEARCH

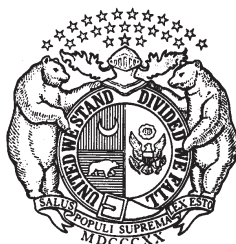
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OFFICE OF THE SPEAKER

ROD JETTON
(573) 751-5912

STATE CAPITOL
Jefferson City, Missouri



MISSOURI HOUSE OF REPRESENTATIVES

July 2007

Dear Fellow Missourians,

I am pleased to present to you the good work of the 94th General Assembly. What follows is a culmination of the hours your elected representatives have spent listening to your questions and concerns, laboring over your suggestions and ideas, and legislating on your behalf. As a result of these combined efforts, our state laws continue to respond to citizens' needs...upholding Missouri's tradition as a great place in which to live and work.

As you look through the following summaries, you'll find legislation that affects nearly every Missourian. We passed a tax cut for Missouri seniors and retirees (HB 444) which will benefit nearly 250,000 Missourians. In addition, we once again made education a top priority and enacted legislation that directs over \$300 million toward building and maintenance projects on our state's higher education campuses, as well as increases for merit-based scholarships and a review process to control tuition increases (SB 389).

We also wanted to take advantage of Missouri's strong job creation and economic development environment, so we passed a set of proposals to make it easier for employees of small businesses and self-employed entrepreneurs to access and afford the cost of private health insurance (HB 818).

Other legislation we passed strengthens Missourians' rights to defend their homes and property when threatened by an intruder (SB 62), and we passed a bill that will allow the people of Missouri to vote on whether English should be the state's official language for official proceedings (HJR 7).

Take a look through the following pages and use the available indexes to find legislation that is of interest to you. As a legislative body, we want to keep you informed of what we're doing. If you would like another copy of this summary book or simply have a few questions, please feel free to call your Representative. As one of the many honored to represent the citizens of Missouri, I'm sure they'll be happy to help.

Sincerely,

A handwritten signature in black ink, appearing to read "Rod Jetton".

Rod Jetton
Speaker

TABLE OF CONTENTS

House Appropriations Bills..... 9

House Bills and Joint Resolution 13

Senate Bills.....41

Subject Index81

ABBREVIATIONS

HB — House Bill

HCS — House Committee Substitute

HJR — House Joint Resolution

HS — House Substitute

SB — Senate Bill

SCS — Senate Committee Substitute

SJR — Senate Joint Resolution

SS — Senate Substitute

CCS — Conference Committee Substitute

EFFECTIVE DATE OF BILLS

Unless they have a referendum clause, all bills are subject to approval or veto by the Governor. Bills approved by the Governor become effective on August 28, 2007, unless another date is specified in the bill or the bill contains an emergency clause. A bill with an emergency clause becomes effective upon approval of the Governor except where a later date is specified. Joint resolutions are proposed constitutional amendments, subject to a vote of the people.

TRULY AGREED TO AND FINALLY PASSED
HOUSE BILLS

OPERATING APPROPRIATIONS SUMMARY

| House Bill | FY 2007 Budget | FY 2008 After Veto |
|---|---------------------------|-------------------------------|
| 1 <u>Public Debt</u> | | |
| General Revenue | \$ 91,358,692 | \$ 91,464,696 |
| Federal Funds | 0 | 0 |
| Other Funds | 6,287,634 | 6,155,798 |
| Total | \$ 97,646,326 | \$ 97,620,494 |
| Total FTE | 0.00 | 0.00 |
| 2 <u>Elementary and Secondary Education</u> | | |
| General Revenue | \$ 2,739,824,155 | \$ 2,844,383,545 |
| Federal Funds | 939,524,896 | 956,462,095 |
| Other Funds | 1,337,181,733 | 1,418,575,339 |
| Total | \$ 5,016,530,784 | \$ 5,219,420,979 |
| Total FTE | 1,842.46 | 1,831.71 |
| 3 <u>Higher Education</u> | | |
| General Revenue | \$ 879,356,731 | \$ 936,476,532 |
| Federal Funds | 6,468,111 | 6,482,693 |
| Other Funds | 182,792,028 | 232,101,090 |
| Total | \$ 1,068,616,870 | \$ 1,175,060,315 |
| Total FTE | 75.92 | 75.67 |
| 4 <u>Revenue</u> | | |
| General Revenue | \$ 85,437,324 | \$ 88,418,233 |
| Federal Funds | 6,404,905 | 6,411,958 |
| Other Funds | 320,377,203 | 343,711,546 |
| Total | \$ 412,219,432 | \$ 438,541,737 |
| Total FTE | 1,629.16 | 1,628.96 |
| 4 <u>Transportation</u> | | |
| General Revenue | \$ 11,859,321 | \$ 12,559,321 |
| Federal Funds | 53,751,383 | 59,729,150 |
| Other Funds | 2,555,849,644 | 2,161,235,280 |
| Total | \$ 2,621,460,348 | \$ 2,233,523,751 |
| Total FTE | 7,005.95 | 7,005.95 |
| 5 <u>Office of Administration</u> | | |
| General Revenue | \$ 170,700,804 | \$ 174,967,305 |
| Federal Funds | 76,306,928 | 74,978,156 |
| Other Funds | 28,871,430 | 37,110,668 |
| Total | \$ 275,879,162 | \$ 287,056,129 |
| Total FTE | 1,833.05 | 2,114.46 |
| 5 <u>Employee Benefits</u> | | |
| General Revenue | \$ 510,411,801 | \$ 511,060,457 |
| Federal Funds | 160,837,877 | 158,710,521 |
| Other Funds | 144,728,612 | 148,231,944 |
| Total | \$ 815,978,290 | \$ 818,002,922 |
| Total FTE | 0.00 | 0.00 |
| 6 <u>Agriculture</u> | | |
| General Revenue | \$ 22,832,655 | \$ 51,609,757 |
| Federal Funds | 4,933,906 | 4,522,577 |
| Other Funds | 14,925,244 | 14,779,969 |
| Total | \$ 42,691,805 | \$ 70,912,303 |
| Total FTE | 413.30 | 401.80 |

OPERATING APPROPRIATIONS SUMMARY

| House Bill | FY 2007 Budget | FY 2008 After Veto |
|--|---------------------|-----------------------|
| 6 <u>Natural Resources</u> | | |
| General Revenue | \$ 10,047,582 | \$ 12,093,469 |
| Federal Funds | 42,796,822 | 43,242,217 |
| Other Funds | <u>270,789,147</u> | <u>271,917,009</u> |
| Total | \$ 323,633,551 | \$ 327,252,695 |
| Total FTE | 1,835.44 | 1,828.94 |
| 6 <u>Conservation</u> | | |
| General Revenue | \$ 0 | \$ 0 |
| Federal Funds | 0 | 0 |
| Other Funds | <u>141,048,873</u> | <u>143,254,143</u> |
| Total | \$ 141,048,873 | \$ 143,254,143 |
| Total FTE | 1,871.61 | 1,871.61 |
| 7 <u>Economic Development</u> | | |
| General Revenue | \$ 43,885,380 | \$ 64,257,953 |
| Federal Funds | 158,714,384 | 169,435,600 |
| Other Funds | <u>58,515,451</u> | <u>71,665,950</u> |
| Total | \$ 261,115,215 | \$ 305,359,503 |
| Total FTE | 1,000.22 | 983.87 |
| 7 <u>Insurance, Financial Institutions and Professional Registration</u> | | |
| General Revenue | \$ 0 | \$ 0 |
| Federal Funds | 600,000 | 600,000 |
| Other Funds | <u>34,031,104</u> | <u>35,033,466</u> |
| Total | \$ 34,631,104 | \$ 35,633,466 |
| Total FTE | 523.65 | 527.65 |
| 7 <u>Labor and Industrial Relations</u> | | |
| General Revenue | \$ 2,462,141 | \$ 2,543,177 |
| Federal Funds | 55,793,665 | 52,912,523 |
| Other Funds | <u>95,166,771</u> | <u>90,145,653</u> |
| Total | \$ 153,422,577 | \$ 145,601,353 |
| Total FTE | 1,049.91 | 958.41 |
| 8 <u>Public Safety</u> | | |
| General Revenue | \$ 63,966,596 | \$ 75,062,497 |
| Federal Funds | 81,482,031 | 112,363,977 |
| Other Funds | <u>275,041,211</u> | <u>278,657,529</u> |
| Total | \$ 420,489,838 | \$ 466,084,003 |
| Total FTE | 4,948.76 | 5,036.51 |
| 9 <u>Corrections</u> | | |
| General Revenue | \$ 586,127,292 | \$ 569,234,250 |
| Federal Funds | 8,587,041 | 7,468,169 |
| Other Funds | <u>43,632,887</u> | <u>47,396,485</u> |
| Total | \$ 638,347,220 | \$ 624,098,904 |
| Total FTE | 11,270.23 | 11,082.23 |
| 10 <u>Mental Health</u> | | |
| General Revenue | \$ 554,004,413 | \$ 590,355,650 |
| Federal Funds | 451,928,567 | 482,058,417 |
| Other Funds | <u>39,079,337</u> | <u>38,160,615</u> |
| Total | \$ 1,045,012,317 | \$ 1,110,574,682 |
| Total FTE | 8,826.27 | 8,826.22 |

OPERATING APPROPRIATIONS SUMMARY

| House Bill | FY 2007 Budget | FY 2008 After Veto |
|--|---------------------------|-------------------------------|
| 10 <u>Health and Senior Services</u> | | |
| General Revenue | \$ 228,301,096 | \$ 230,529,204 |
| Federal Funds | 567,288,385 | 571,858,282 |
| Other Funds | 26,767,085 | 27,241,392 |
| Total | \$ 822,356,566 | \$ 829,628,878 |
| Total FTE | 1,949.61 | 1,923.95 |
| 11 <u>Social Services</u> | | |
| General Revenue | \$ 1,415,767,492 | \$ 1,573,140,417 |
| Federal Funds | 3,439,130,872 | 3,390,144,700 |
| Other Funds | 1,322,144,638 | 1,680,832,676 |
| Total | \$ 6,177,043,002 | \$ 6,644,117,793 |
| Total | 8,284.58 | 8,245.08 |
| 12 <u>Elected Officials</u> | | |
| General Revenue | \$ 46,224,199 | \$ 48,501,656 |
| Federal Funds | 38,181,093 | 23,358,160 |
| Other Funds | 45,933,279 | 46,689,935 |
| Total | \$ 130,338,571 | \$ 118,549,751 |
| Total FTE | 967.02 | 974.02 |
| 12 <u>Judiciary</u> | | |
| General Revenue | \$ 155,267,876 | \$ 164,129,636 |
| Federal Funds | 9,700,642 | 10,284,578 |
| Other Funds | 10,279,339 | 10,237,705 |
| Total | \$ 175,247,857 | \$ 184,651,919 |
| Total FTE | 3,383.55 | 3,404.05 |
| 12 <u>Public Defender</u> | | |
| General Revenue | \$ 30,337,822 | \$ 32,680,606 |
| Federal Funds | 125,000 | 125,000 |
| Other Funds | 1,972,829 | 2,976,491 |
| Total | \$ 32,435,651 | \$ 35,782,097 |
| Total FTE | 560.13 | 560.13 |
| 12 <u>General Assembly</u> | | |
| General Revenue | \$ 32,300,398 | \$ 33,248,859 |
| Federal Funds | 0 | 0 |
| Other Funds | 193,567 | 194,250 |
| Total | \$ 32,493,965 | \$ 33,443,109 |
| Total FTE | 711.84 | 712.84 |
| 13 <u>Statewide Leasing</u> | | |
| General Revenue | \$ 41,228,202 | \$ 106,190,419 |
| Federal Funds | 20,006,708 | 23,627,113 |
| Other Funds | 9,065,212 | 13,640,476 |
| Total | \$ 70,300,122 | \$ 143,458,008 |
| Total FTE | 0.00 | 0.00 |
| <u>Total Operating Budget</u> | | |
| General Revenue | \$ 7,721,701,972 | \$ 8,212,907,639 |
| Federal Funds | 6,122,563,216 | 6,154,775,886 |
| Other Funds | 6,964,674,258 | 7,119,945,409 |
| Total | \$ 20,808,939,446 | \$ 21,487,628,934 |
| Total FTE | 59,982.66 | 59,994.06 |

Supplemental and Capital Improvement Appropriations

| | Fiscal Year 2007 | | | |
|----------------------------------|-------------------------------|---|-------------------------------|-------------------------------|
| | <u>HB 14 Supplemental</u> | <u>HB 15 - Utilicare Supplemental</u> | <u>HB 16 Supplemental</u> | <u>Total Supplemental</u> |
| <u>Supplemental Bills</u> | | | | |
| <u>HBs 14 - 16</u> | | | | |
| General Revenue | \$33,958,629 | \$6,317,148 | \$80,066,667 | \$120,342,444 |
| Federal Funds | \$15,682,945 | | | \$15,682,945 |
| Other Funds | <u>\$72,403,132</u> | | <u>\$312,462,333</u> | <u>\$384,865,465</u> |
| Total | <u>\$122,044,706</u> | <u>\$6,317,148</u> | <u>\$392,529,000</u> | <u>\$520,890,854</u> |

HB 17 Capital Improvements, Maintenance, and Repairs

Appropriates unexpended balances as of June 30, 2007, for capital improvements and repair and maintenance projects previously authorized in other appropriations.

| | FY 2008 | FY 2009 |
|--|------------------------------|------------------------------|
| | Year 1 | Year 2 |
| | <u>Appropriations</u> | <u>Appropriations</u> |

HB 18 Capital Improvements, Maintenance, and Repairs

| | | |
|-----------------|----------------------------|----------------------------|
| General Revenue | \$72,079,240 | \$75,289,639 |
| Federal Funds | \$3,173,382 | \$3,173,381 |
| Other Funds | <u>\$7,356,611</u> | <u>\$7,207,433</u> |
| Total | <u>\$82,609,233</u> | <u>\$85,670,453</u> |

HCS#2 HB 28 — CARRIERS OF HOUSEHOLD GOODS

This bill allows a common carrier of household goods to file an application with the Highways and Transportation Commission for the approval of rates to reflect increases and decreases in its operational costs. The application process will be governed by the commission and will follow rules similar to the rate hearing procedures for utility companies.

Beginning January 1, 2008, an intrastate carrier of household goods will be required to obtain Department of Transportation authority to operate in municipalities, between municipalities, and in commercial zones.

SCS HB 41 — LAW ENFORCEMENT

This bill changes the laws regarding law enforcement. In its main provisions, the bill:

(1) Repeals an obsolete provision which allows the police department of the City of St. Louis to hire certain retired police officers as special advisors;

(2) Allows grant money received by multi-jurisdictional Internet cyber crime law enforcement task forces to be used to purchase necessary equipment, supplies, and services. Currently, the grant money may only be used to pay law enforcement salaries and provide training;

(3) Allows multijurisdictional enforcement groups to receive grant money to investigate Internet sexual crimes against children;

(4) Allows up to 3% of the money appropriated to the Department of Public Safety for the multijurisdictional enforcement grant program to be used for its administrative costs;

(5) Specifies that the arrest powers of a peace officer authorized as a member of a multijurisdictional Internet cyber crime law enforcement task force can only be used when the officer is an active member of the task force and acting within the scope of the investigation. The officer will have the power of arrest anywhere in the state and must provide prior notification to the local police chief or sheriff of an arrest in his or her jurisdiction. However, if critical circumstances exist, an arrest may be made and the notification must be made to the police chief or sheriff as soon as possible. The police chief or sheriff may elect to work with task forces within his or her jurisdiction;

(6) Grants a person serving as a reserve officer on August 27, 2001, within a county of the first classification or St. Louis County, who has previously completed a minimum of 160 hours of training, a license to function as a reserve peace officer only within that county;

(7) Allows the St. Louis Board of Police Commissioners to delegate some of its jurisdiction to hearing officers. At the board's discretion, a hearing officer may preside over disciplinary matters, submit reports to the board, and make recommendations on the disciplinary matter and the appropriateness of the recommended discipline. The process for selecting hearing officers is specified. After a hearing officer presides over a matter, he or she will become ineligible to hear a case until all hearing officers have been utilized, at which time the rotation will begin again. The board will retain authority to render a final decision after a review of the evidence and the report of the hearing officer;

(8) Updates several provisions of law in Chapter 43, RSMo, regarding the operations of the State Highway Patrol;

(9) Requires the Superintendent of the State Highway Patrol to be appointed from the uniformed membership of the patrol and removes the requirement that the superintendent reside in Jefferson City;

(10) Authorizes the patrol superintendent to enter into an agreement with the Missouri Gaming Commission to enforce any law or regulation, conduct background investigations related to the laws of this state, and enforce the regulation of licensed gaming activities;

(11) Increases the amount an entity requesting criminal history record information not based on a fingerprint search must pay from up to \$5 per request to up to \$9. After January 1, 2010, the patrol superintendent may increase this fee up to \$1 per year, up to a \$15 maximum. Any entity requesting criminal history record information based on a fingerprint search is required to pay up to \$20 per request. If the request is for a concealed carry endorsement or foster parent, residential care facility, or child placing agency license, the fee will be \$14;

(12) Allows any state agency or board to require the fingerprinting of an applicant or employee in specified occupations for the purpose of positive identification and for receiving criminal history record information when determining the applicant's or employee's ability or fitness for a position; and

(13) Authorizes the patrol, at the direction of the Governor, to conduct a name or fingerprint background investigation of a gubernatorial appointee or applicant and other investigations to determine if the individual has paid his or her required taxes to establish the person's suitability for a position of public trust.

The bill contains an emergency clause regarding the multijurisdictional enforcement groups.

HB 56 — MEMORIAL BRIDGE AND HIGHWAYS

This bill designates a memorial bridge and several memorial highways including:

(1) The portion of State Highway 74/34 from the Missouri/Illinois state line west to the intersection of Business Loop 55/U. S. Highway 61/State Highway 34 in Cape Girardeau County as the “John Oliver Jr. Parkway”;

(2) The portion of U. S. Highway 60 from the intersection of U. S. Highway 60 and State Route ZZ to the intersection of U. S. Highway 60 and State Highway 25 in Stoddard County as the “Sergeant Carl Dewayne Graham Jr. Memorial Highway”;

(3) The portion of State Highway 112 from the intersection of State Highway 76 south to the intersection of State Route AA in Barry County as the “Deputy Christopher Lee Castetter Memorial Highway”;

(4) The portion of State Route M between Old Lemay Ferry Road and Moss Hollow Road in the City of Barnhart as the “Officer Stephen Strehl Memorial Highway”;

(5) The portion of U. S. Highway 61/67 between Wolf Hollow Road and State Route M in the City of Barnhart as the “1922 Sulphur Springs Rail Disaster Memorial Highway”;

(6) The portion of State Highway 110 from U. S. Highway 67 to State Highway 21 in Jefferson County as the “DeSoto Railroad Employees Memorial Highway”;

(7) The portion of Interstate 44 from the city limits of St. Louis to the intersection of Kingshighway as the “Officer Michael Barwick Memorial Highway”;

(8) The new bridge over the Missouri River on Interstate 29/35 in Kansas City as the “Christopher S. Bond Bridge”; and

(9) The portion of State Highway 7 from the south edge of the city limits of Blue Springs south to the intersection of U. S. Highway 50 as the “Larry Stewart Secret Santa Memorial Highway.”

HB 62 — GEORGE WASHINGTON CARVER BUILDING

This bill designates the state office building for the Department of Agriculture located at 1616 Missouri Boulevard in Jefferson City as the “George Washington Carver Building.”

HB 75 — PARK SERVICES

This bill adds facility enhancement to the list of permissible activities for which the Department of Natural Resources may enter into cooperative agreements with nonprofit organizations and

allows these organizations to provide services to any state park instead of only one state park. The department may provide incidental staff support if the organization reimburses the department for the actual costs of park facility space and staff support as well as demonstrates the fiscal, interpretive, educational, and facility enhancement benefits to the state. Proceeds from the sale of any services under a cooperative agreement must be used by the organization for interpretive or educational services in state parks.

HCS HB 98 — TRANSPORTATION SERVICES FOR THE ELDERLY

This bill authorizes each area agency on aging to establish a volunteer program for the transportation of elderly individuals to scheduled, health care-related appointments. Participating volunteers must use their own vehicles and may be reimbursed by the agency at the same rate as state employees for any mileage allowance or reimbursement due. Subject to appropriation, each area agency may request funding of up to \$1,000 annually from the Department of Health and Senior Services to assist with the administrative costs of the program.

The provisions of the bill will expire six years from the effective date.

SS HB 134 — EQUIPMENT GRANTS FOR UNIVERSITY OF MISSOURI ENGINEERING PROGRAMS

This bill extends from June 30, 2007, to June 30, 2017, the expiration date for a capital improvement appropriation request to include engineering equipment grants at the University of Missouri.

HCS HB 181 — ELECTRONIC VIDEO INSTRUCTIONAL MATERIALS

Beginning January 1, 2008, this bill requires closed or open captioning on electronic video instructional materials, as specified in the bill, designed for use in educational institutions. Exceptions are made for certain materials and transmission methods. If a publisher knowingly fails to comply with the requirements, the entity that paid for the materials may receive damages of three times the amount paid to have them captioned.

HCS HB 182 — OUTSIDE THE HOSPITAL DO-NOT-RESUSCITATE ACT

This bill establishes the Outside the Hospital Do-not-resuscitate Act which requires that a copy of a do-not-resuscitate order must be included as the

first page of a patient's medical record. A patient or patient's representative and the patient's attending physician may execute an outside the hospital do-not-resuscitate order. The Department of Health and Senior Services must develop and approve uniform forms and personal identifiers. The identifiers must alert any emergency medical technician, paramedic, first responder, or other health care provider of the existence of the order for the patient.

The bill specifies that the outside the hospital do-not-resuscitate order will only be effective when the patient has not been admitted to or is not being treated within a hospital. These orders and protocols will not authorize the withholding or withdrawal of other medical interventions such as intravenous fluids, oxygen, or therapies other than cardiopulmonary resuscitation. An outside the hospital do-not-resuscitate order will not be in effect when a patient is pregnant or when believing in good faith that a patient is pregnant.

Emergency medical technicians, paramedics, first responders, and other health care providers are required to comply with an outside the hospital do-not-resuscitate order or identifier unless the patient or patient's representative expresses to the personnel in any manner, before or after the onset of a cardiac or respiratory arrest, the desire to be resuscitated. A physician or a health care facility other than a hospital that is unwilling or unable to comply with this order must take all reasonable steps to transfer the patient to another physician or facility where the order will be followed.

The bill specifies the individuals and entities that are exempt from civil or criminal liability for withholding or withdrawing resuscitation pursuant to an order or identifier if the actions were performed in good faith and without gross negligence. Anyone who knowingly conceals, cancels, defaces, or obliterates an order or identifier without the individual's consent or knowingly falsifies or forges a revocation will be guilty of a class A misdemeanor. Anyone who knowingly executes, falsifies, or forges an order without the individual's consent or knowingly conceals or withholds the knowledge of a revocation of an order will be guilty of a class D felony.

HCS HB 184 — CHILDREN'S SERVICES PROTECTION ACT

This bill establishes the Children's Services Protection Act which requires any city or county that has levied a sales tax for providing services to children in need to reimburse the community children's services fund the amount of tax revenue that is used for or diverted to any tax increment financing project approved or adopted after August 28, 2007.

SS HB 205 — PROMOTION OF TOURISM

This bill authorizes certain cities and counties to impose a sales or transient guest tax; extends the expiration date of the Tourism Supplemental Revenue Fund; and allows certain counties to establish a theater, cultural arts, and entertainment district.

SALES TAX IN PERRY COUNTY FOR COMMUNITY PROGRAMS

Perry County is authorized to impose, upon voter approval, a sales tax of up to .25% to equally fund senior services and youth programs. The revenue collected for youth programs will be administered by an existing county tax force, while a seven-member senior services tax commission must be established to administer the revenue received for senior services. Appointments to the senior services tax commission will be made by the county commission, which will determine the qualifications, terms of office, and duties of the senior services tax commission.

TRANSIENT GUEST TAXES

The bill:

(1) Allows the City of Sullivan and the portion of the Sullivan C-II School District located in Franklin County to impose, upon voter approval, a transient guest tax from 2% to 5% per occupied room per night for the promotion of tourism; and

(2) Allows any municipality within Pemiscot County to impose, upon voter approval, a transient guest tax of up to 4% for a hotel or motel room. Revenue received from this tax will be deposited into the municipality's tourism tax trust fund. Currently, money in this fund must be used solely for the construction, maintenance, or operation of convention and tourism facilities, with at least 25% of the revenue being used for the marketing and promotion of tourism. In cities with a population of less than 1,500, 40% of the revenue can be transferred to the city's general revenue fund and 35% can be used for capital improvements, upon voter approval. The bill removes the 25% requirement and allows cities with fewer than 7,500 residents to transfer 40% of the revenue from this tax to the city's general revenue fund and use up to 35% of the revenue for capital improvements, upon voter approval.

THEATER, CULTURAL ARTS, AND ENTERTAINMENT DISTRICTS

Currently, only St. Charles County and its municipalities are allowed to establish a theater, cultural arts, and entertainment district. The bill allows the governing body of any county or city that has adopted transect-based zoning under Chapter 89, RSMo, and the counties of Boone, Clay, Franklin, Jackson, or Jasper and their municipalities to form a district.

The bill:

- (1) Allows the district to fund infrastructure projects;
- (2) Reduces the number of contiguous acres the district must include from 50 to 25;
- (3) Requires, instead of allows, the governing body of the city or county in which a district is proposed and approved to pass a resolution containing specified information regarding the establishment of the district;
- (4) Specifies the meaning of “transect-based zoning”; and
- (5) Repeals the duplicate of Section 67.2505.

TOURISM SUPPLEMENTAL REVENUE FUND

Currently, the Division of Tourism Supplemental Revenue Fund will expire on June 30, 2010. The bill extends the expiration date to June 30, 2015.

The provisions regarding transferring transient guest tax funds to general revenue in cities with a population of 7,500 or less are repealed in Senate Bill 22 of the 2007 General Assembly.

HB 220 — MISSOURI UNIFORM TRUST CODE

This bill makes a technical correction to Section 456.5-501, RSMo, regarding the Missouri Uniform Trust Code by changing an intersectional reference.

HCS HB 221 — SERVICE CONTRACTS

This bill changes the laws regarding motor vehicle extended service contracts and product service contracts.

MOTOR VEHICLE EXTENDED SERVICE CONTRACTS

The bill:

- (1) Specifies that a “fronting company” is a dealer that authorizes a third-party administrator or provider to use its name or business to evade or circumvent a sale, an offer for sale, or a solicitation of the sale of a motor vehicle extended service contract to a consumer;
- (2) Allows only motor vehicle dealers and manufacturers, boat dealers, federally insured depository institutions, and licensed lenders to market or sell motor vehicle extended service contracts;
- (3) Prohibits a dealer from acting as a fronting company; and
- (4) Creates penalties for a violation of these provisions.

PRODUCT SERVICE CONTRACTS

The bill:

- (1) Prohibits any person from issuing or selling a product service contract without registering and paying a fee to the Director of the Department of

Insurance, Financial Institutions, and Professional Registration;

- (2) Requires providers of service contracts to maintain at least one of the following:

- (a) A funded reserve account of at least 40% of the gross consideration received less claims paid;
- (b) A financial security deposit with the department director of at least 5% of the gross consideration received less claims paid;
- (c) A net worth of \$100 million; or
- (d) A reimbursement insurance policy covering 100% of the service contract obligations;

- (3) Prohibits the collected provider fees from being subject to premium taxes and exempts the person selling the contract from other state licensing laws if all the requirements are met;

- (4) Requires providers of service contracts to furnish a written statement to the consumer specifying the provider's obligations and conveying the terms and any restrictions. Misleading advertising is prohibited;

- (5) Requires providers of service contracts to maintain accurate records of every transaction for a period of at least three years after the specified period of coverage has expired. Records must be made available to the department upon request;

- (6) Prohibits insurers who issue reimbursement insurance policies from terminating a policy without notifying the department director. Insurers have the right to seek indemnification against a provider if the insurer pays amounts under the service contract that the provider was obligated to pay; and

- (7) Creates penalties for a violation of these provisions.

The bill becomes effective January 1, 2008, except for Sections 385.202, 385.206, 385.214, 385.216, 385.218, 385.220, 385.308, 385.314, 385.316, 385.318, and 385.320 which become effective August 28, 2007.

HB 264 — STATE PUBLIC SCHOOL FUND

Currently, the State Board of Education must invest funds accruing to the State Public School Fund in bonds of not less than par value. This bill removes the par value requirement and allows the board to invest in discounted bonds.

HB 268 — CONVEYANCE IN CALLAWAY COUNTY

This bill authorizes the Governor to convey a permanent biking and hiking trail easement over, on, and under state property at the Missouri School for the Deaf in Callaway County to the City of Fulton.

HCS HB 272 — OFFICIAL STATE REPTILE

This bill designates the three-toed box turtle as the official state reptile.

SCS HCS HB 298 — MISSOURI BLASTING SAFETY ACT

This bill establishes the Missouri Blasting Safety Act. In its main provisions, the bill:

(1) Requires any person using explosives in this state to hold a blaster's license or be supervised by a person holding a blaster's license issued by the Division of Fire Safety within the Department of Public Safety;

(2) Establishes certain criteria to be met by applicants prior to the issuance of a license;

(3) Authorizes the division to suspend, revoke, or deny licenses but allows for an appeal process through the State Blasting Safety Board which is established in the bill;

(4) Requires a person whose license has expired for more than three years to take the licensing exam and complete the continuing education requirements prior to being reissued a license;

(5) Allows for license reciprocity and certain licensing exemptions;

(6) Authorizes the division to adopt rules creating a standardized qualification examination, continuing education requirements, and a fee structure;

(7) Specifies requirements for blasting activity, including the use of a seismograph recording;

(8) Requires anyone using explosives in this state to register with the State Fire Marshal within 60 days of the effective date of the bill, pay a fee, and file an annual report listing his or her blasting activities from the previous year;

(9) Creates within the state treasury the Missouri Explosives Safety Act Administration Fund to be used by the State Fire Marshal for administrative and enforcement costs;

(10) Requires anyone using explosives in this state to notify the division at least two business days before blasting at a new site; and

(11) Exempts the counties of St. Charles and St. Louis from the provisions of the bill.

An individual who violates any provision of the bill will be subject to a civil penalty of up to \$2,000 for a first violation and up to \$5,000 for a subsequent violation. Anyone blasting without a license will be guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a subsequent offense. Anyone convicted of a class A misdemeanor relating to these provisions will be permanently prohibited from obtaining a blaster's license.

SS SCS HCS HB 327 — ECONOMIC DEVELOPMENT

(Vetoed by the Governor)

This bill changes the laws regarding economic development programs.

HUNTING HERITAGE PROTECTION AREAS ACT

The Hunting Heritage Protection Areas Act is established which specifies that, subject to all applicable state, federal, and local laws in effect as of the effective date of the bill, the discharge of a firearm for hunting, sport, and all other lawful purposes will not be prohibited in specified protected areas. Protected areas will include all land located within the 100-year flood plain of the Missouri and Mississippi rivers as designated by the Federal Emergency Management Agency.

Areas exempt from the provisions of the bill include:

(1) Areas designated as urbanized by the 2000 United States Census;

(2) Land used by a facility that is regulated by the Federal Energy Regulatory Commission;

(3) Land used for the operation of a port of commerce or a customs port;

(4) Land within the city boundaries of Kansas City or St. Louis; and

(5) Land located within one-half mile of an interstate highway in existence on the effective date of the bill.

New tax increment financing (TIF) projects are prohibited in any hunting heritage protection area after the effective date of the bill, except for:

(1) Expanding the boundaries of existing TIF areas by no more than 5%;

(2) Improving existing flood or drainage protection; or

(3) Constructing or operating a renewable fuel production facility if no new development directly associated with the production of renewable fuel occurs as a result of the project.

TIF projects or districts approved prior to the effective date of the bill are allowed to make certain modifications.

TAX INCREMENT FINANCING

The bill:

(1) Requires any municipality in the counties of Jefferson, St. Charles, or St. Louis to establish a county TIF commission in the same manner as St. Louis County. The bill specifies the membership of the 12-member commission;

(2) Requires any municipality in the counties of Franklin, Jefferson, St. Charles, or St. Louis to obtain permission from its county TIF commission before implementing a TIF project;

(3) Defines “greenfield area” as it relates to TIF projects and prohibits any new TIF project in any greenfield area located in the City of St. Louis or the counties of Franklin, Jefferson, St. Charles, or St. Louis; and

(4) Requires a two-thirds majority vote of a municipality’s governing body to overturn a county TIF commission’s recommendation against a proposed TIF redevelopment plan, project, or area.

DISTRESSED AREAS LAND ASSEMBLAGE TAX CREDIT ACT

The Distressed Areas Land Assemblage Tax Credit Act is established which authorizes, beginning January 1, 2008, a tax credit equal to 50% of the costs and 100% of the interest incurred for five years after the acquisition of an eligible parcel of land. Eligible parcels must be located within an eligible project area to be redeveloped and must be acquired before the applicant begins condemnation proceedings. Parcels acquired by the applicant from a municipal authority are not included. Tax credits may be carried forward for up to six years or sold.

The annual cap on the credits that can be issued is \$12 million, and the cumulative cap is \$100 million. If applications for the tax credit exceed \$12 million in any year, the Department of Economic Development can issue the entire amount to one applicant if there is only one eligible applicant or on a pro rata basis to all the eligible applicants. Any eligible amount which is not issued because of the \$12 million annual limit will be carried forward and reserved for the applicant in future years.

Eligible project areas must meet the following requirements:

(1) The area must consist of at least 100 acres, which can include parcels which are not eligible parcels;

(2) At least 80% of the area must be located within a Missouri qualified census tract area as designated by the United States Department of Housing and Urban Development;

(3) Eligible parcels acquired by the applicant within in the project area must be at least 75 acres; however, the parcels are not required to be contiguous;

(4) The average number of parcels per acre must be at least four; and

(5) Less than 5% of the acreage within the area’s boundaries can consist of owner-occupied residences which the applicant has identified for acquisition.

No tax credits can be authorized for the program after August 28, 2013.

SMALL BUSINESS INVESTMENT TAX CREDITS

The bill:

(1) Reduces the amount of the tax credit for a qualified investment in a small business from 40%

to 30% of the investment, unless the small business is located in a distressed community, in which case the tax credit is reduced from 60% to 40%. A tax credit equal to 40% of an investment made in a small business located in a rural area is allowed. Tax credits will only be issued on qualified investments up to \$100,000;

(2) Requires that \$10 million in tax credits be available each fiscal year for qualified investments in small businesses, regardless of the location of the business. Currently, the total amount of tax credits cannot exceed \$13 million with \$4 million reserved for distressed communities;

(3) Eliminates the 50% tax credit for an investment in a community bank or community development corporation;

(4) Removes the requirement that \$500,000 be available for tax credits for qualified investments in Missouri small businesses, community banks, or community development corporations from the Neighborhood Assistance Program; and

(5) Prohibits the department from issuing certificates without the approval of the Small Business Tax Credit Review Committee, which must review and determine the eligibility of all tax credit applications.

TAX CREDITS

The bill:

(1) Changes the definition of “person” and “taxpayer” as they relate to tax credit programs in Chapters 32, 100, 135, 143, 173, 208, 348, and 620, RSMo, to include charitable organizations which are exempt from federal income tax;

(2) Authorizes a tax credit, beginning January 1, 2008, for certain taxpayers who modify their homes to make them accessible to a disabled person living in the home. If any portion of the modification was claimed as a deduction on the taxpayer’s federal income tax return, the amount of the tax credit will be reduced by the amount of the deduction. Taxpayers cannot receive this credit in two consecutive years. The tax credit has a cap of \$2,500 per taxpayer and an annual cap of \$100,000. The tax credit is not transferrable but will be refundable. To the extent there are tax credits remaining under the \$10 million cap in the Rebuilding Communities Tax Credit Program, the first remaining \$100,000 will be used for this tax credit;

(3) Authorizes a tax credit, beginning January 1, 2008, equal to 50% of the amount of a contribution made to an eligible organization for the preservation of a Missouri Civil War site. The tax credit is not refundable but can be sold or carried forward for five years. A taxpayer can receive up to \$25,000 in credits per tax year, and no more than \$100,000 of credits can be issued in a tax year. The first \$100,000 of any

remaining tax credits in the Neighborhood Assistance Program may also be used for contributions to approved Civil War site preservation organizations;

(4) Increases the cumulative amount of tax credits which may be claimed by all taxpayers contributing to maternity homes in any fiscal year from \$2 million to \$3 million and allows these credits to be sold;

(5) Establishes the Qualified Beef Tax Credit Act which authorizes a tax credit for each sale of a qualifying beef animal. From January 1, 2009, to December 31, 2016, the credit will be equal to 10 cents per pound above 450 pounds when qualifying beef cattle are sold and 10 cents per pound if the weight of the qualifying beef animal is greater at a subsequent sale than the weight at the first qualifying sale. The tax credit must be claimed in the year in which the qualifying sale occurs. Any unused portion may be carried back three years, carried forward five years, or sold. The annual cap on the credits that can be issued is \$10 million, and the cumulative cap is \$30 million;

(6) Authorizes a tax credit equal to 7% of the adjusted purchase price paid to the issuer of a qualified equity investment for the third credit allowance date and 8% for the next four credit allowance dates. The tax credits are not transferable or refundable but may be carried forward for up to five years. No more than \$15 million of these tax credits can be utilized annually; and

(7) Lowers the minimum budget expenditure, beginning January 1, 2008, from \$300,000 to \$50,000 for a qualified film production project less than 30 minutes in length or \$100,000 for a project longer than 30 minutes. The bill removes the individual project credit cap of \$1 million and increases the total annual program cap from \$1.5 million to \$10.5 million. The credit will be equal to 35% of the qualifying expenses for the project, which cannot include wages for highly compensated individuals.

ENHANCED ENTERPRISE ZONE PROGRAM

The bill:

(1) Increases the cap on the amount of tax credits that can be issued in a calendar year from \$7 million to \$25 million;

(2) Revises the definition of “employee” as it relates to the Enhanced Enterprise Zone Program to a person employed by the enhanced business enterprise that is scheduled to work an average of at least 1,000 hours per year. Health insurance must be offered to employees at all times and must be partially paid by the employer. Currently, the definition of “employee” includes full-time, part-time, and seasonal employees;

(3) Adds educational services, religious organizations, and public administration to the list of entities which are prohibited from being enhanced

business enterprises. However, the headquarters or administrative offices which would otherwise be excluded may qualify for benefits if the offices serve a multistate territory;

(4) Allows speculative industrial or warehouse buildings constructed by a public entity, or a private entity if the land is leased by a public entity, to be exempt from ad valorem taxes, upon the approval of the governing authority. If the speculative building is owned by a private entity, it cannot be exempt for more than two years. If it is owned or leased by a public entity, it cannot be exempt for more than five years. Currently, only enhanced business enterprises can be exempt from these taxes; and

(5) Requires the department to verify through the Department of Revenue that the tax credit applicant does not owe any delinquent taxes, interest, or penalties and to verify through the Department of Insurance, Financial Institutions, and Professional Registration that the applicant does not owe any delinquent insurance taxes prior to issuing any tax credits. The amount of tax credits issued will be reduced by any tax delinquency.

MISSOURI HOMESTEAD PRESERVATION ACT

For all years after 2007, the Director of the Department of Revenue is required to calculate the levels of appropriation necessary to establish the homestead exemption limit anywhere between .01% and 5% for reassessment years and between .01% and 2.5% for alternate years.

TAX CREDITS, DEDUCTIONS, AND EXEMPTIONS FOR ALTERNATIVE FUELS

The bill:

(1) Authorizes a tax credit, beginning January 1, 2008, to January 1, 2011, for eligible applicants who install and operate a qualified alternative fuel station. This credit may be claimed for any tax year in which the applicant is constructing the station. The credit is equal to the lesser of \$20,000 or 20% of the total direct costs for the purchase and installation of any alternative fuel storage and dispensing equipment. The costs of purchasing land or an existing alternative fuel station or the construction or purchase of a structure are not considered eligible costs. The total amount of tax credits which can be claimed cannot exceed \$3 million in 2008, \$2 million in 2009, or \$1 million in 2010. Tax credits may be carried forward for two years and sold. Tax credits will be forfeited if a tax credit recipient stops selling alternative fuel;

(2) Authorizes an income tax deduction, beginning January 1, 2008, for the purchase of a qualified hybrid vehicle. The tax deduction will be equal to the lesser of \$1,500 or 10% of the vehicle's purchase price and must be claimed in the tax year in which the vehicle is purchased;

(3) Authorizes a tax credit for the purchase of E-85, biodiesel, or biodiesel-blended fuel. For 2008, the tax credit will be 25 cents per gallon for E-85 fuel and 5 cents per gallon for biodiesel or biodiesel-blended fuel purchased by the taxpayer; for 2009 and 2010, 20 cents for E-85 fuel and 3 cents for biodiesel or biodiesel-blended fuel; and for 2011 and beyond, 15 cents for E-85 fuel and 5 cents for biodiesel or biodiesel-blended fuel. The amount of tax credits claimed annually per taxpayer must be from \$50 to \$500. The tax credit is not refundable but can be carried forward for three years and will be available to taxpayers who choose to take the standard deduction. No more than \$500,000 in tax credits can be redeemed in any one fiscal year; and

(4) Exempts new motor vehicles designed to operate on E-85 fuel from state sales tax in Fiscal Year 2008.

TAX EXEMPTIONS

The bill:

(1) Exempts motor fuel used for public school district buses from the motor fuel tax;

(2) Exempts motor fuel used for public mass transportation from the motor fuel tax;

(3) Exempts new diesel-powered motor vehicles with a gross vehicle rating of less than 8,500 pounds from state and local sales and use taxes;

(4) Exempts motor vehicles licensed for a gross weight of 24,000 pounds or more or trailers used by common carriers to transport people or property from state and local sales and use taxes. Currently, these vehicles are only exempt if they are engaged solely in interstate commerce;

(5) Specifies that the raw materials used during the primary manufacturing of automobiles will be assumed to contain at least 25% recovered materials. Currently, electricity used in the primary manufacturing of automobiles cannot be assessed local or state sales taxes if the raw materials used in the processing contain at least 25% recovered materials;

(6) Exempts from state and local sales and use tax the utilities used in the research and development of prescription pharmaceuticals consumed by humans or animals;

(7) Exempts from state and local sales and use tax tangible personal property and utilities used in the research and development of agricultural, biotechnology, and plant genomics products;

(8) Exempts from state and local sales and use taxes the cost of all utilities, chemicals, machinery, equipment, and materials used in the manufacturing, processing, compounding, mining, or production of a product; the processing of recovered materials; and the research and development of manufacturing,

processing, compounding, mining, or producing a product; and

(9) Exempts from local and state sales and use taxes all aviation jet fuel sold to an airline for immediate use by an aircraft during a transoceanic flight. The fuel must be delivered directly from the seller to an aircraft and cannot be stored by the purchaser or a third-party.

ESTABLISHING NEXUS FOR THE PURPOSES OF TAXATION

The bill changes the laws regarding establishing substantial nexus as it relates to state income, use, and corporate franchise taxes.

For the purposes of the state's income tax and corporate franchise tax, the bill specifies that a determination of whether a corporation or individual has substantial nexus with Missouri will be made without regard to whether the corporation or individual is deemed to be a related taxpayer in regard to either a distribution or data storage facility in Missouri. Using a distribution facility or selling property shipped from the distribution facility will not be considered when determining if substantial nexus exists.

Currently, for the purposes of the state use tax, distributing direct mail advertising or catalogs; using media-assisted means such as computer-assisted shopping, telephones, television, radio, magazine or newspaper advertisements; or being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in Missouri are defined as ways one can engage in business activities in Missouri. The bill eliminates these activities from the definition of "engages in business activities within this state" and instead specifies that a determination of whether a person engages in business activities in Missouri and whether the person has substantial nexus with Missouri will be made without regard to whether the person is deemed to be a related taxpayer with regard to either a distribution or data storage facility in Missouri. Using a distribution facility or selling property shipped from the distribution facility will not be considered when determining if substantial nexus exists.

VOCATIONAL SCHOOL DISTRICTS

The counties of Bollinger, Butler, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard, and Wayne are allowed to organize a vocational school district. The Coordinating Board for Higher Education must establish specified standards for the district.

NEW JOBS TRAINING PROGRAM

The bill allows community college districts to sell New Jobs Training Program certificates until July 1, 2018, and extends the program until July 1, 2028.

FAMILY DEVELOPMENT ACCOUNT PROGRAM

The bill revises the definition of “community-based organizations” as it relates to the Family Development Account Program to include any nonprofit corporation formed under Chapter 355 which the Department of Economic Development can approve to implement the program.

Currently, no more than 20% of the moneys in the reserve fund account may be used for the administrative costs of the program during its first two years and 15% in subsequent years. The bill reduces the amount to 15% for the first two years and 10% for subsequent years.

TRANSPORTATION DEVELOPMENT DISTRICTS

Currently, the qualified electors of a proposed transportation district include anyone living within the proposed district who is a registered voter or, if no one living within the proposed district is eligible to vote, people who own property within the proposed district. The bill revises the definition of “qualified electors” to include anyone residing within the district who is registered to vote and owners of real property. Owners of real property will receive one vote per acre, and any registered voter who also owns property must choose whether to vote as an owner or a registered voter.

Currently, a district must submit a proposed project, with proposed plans and specifications, to the Highways and Transportation Commission for its approval before construction or funding for a project can begin. The bill allows the commission to give preliminary approval to the project subject to the district providing the plans and specifications. After receiving preliminary approval, the district can impose and collect taxes and assessments as specified in the commission's preliminary approval.

Owners of all the property located within a district are allowed, by unanimous petition filed with the district's board of directors, to remove any property from the district if the removal will not materially affect any of the district's obligations.

The bill allows a district to establish different classes of property within the district in order to impose different special assessment rates.

REGIONAL RAILROAD AUTHORITIES ACT

The bill:

(1) Establishes the Regional Railroad Authorities Act to preserve, improve, and continue rail service for agriculture, industry, or passenger traffic and to preserve railroad right-of-way for transportation uses when determined to be practical and necessary for the public welfare;

(2) Authorizes any Missouri city or county to form an authority, which must be organized by a resolution;

(3) Requires each authority to establish a board of at least five commissioners and specifies the powers of the board;

(4) Specifies the powers of the authority, including the ability to exercise the power of eminent domain;

(5) Authorizes the state, any political subdivision, or municipal corporation to transfer any property within the district to the authority;

(6) Specifies that the authority is subject to tort liability under Chapter 537;

(7) Allows the state to make grants to the authority, when appropriated;

(8) Allows the authority to issue revenue bonds; and

(9) Exempts the authority from taxation and assessments.

MISSOURI WORKFORCE INVESTMENT BOARD

The Missouri Workforce Investment Board is established to provide workforce investment activities that increase the employment, retention, and earnings of participants and improve the quality of the workforce, reduce welfare dependency, and enhance productivity and competitiveness.

The board must meet the requirements of the federal Workforce Investment Act (WIA) of 1998. The bill specifies the membership and terms of the board members. The board will assist the Governor with the functions described in Section 111(d) of the WIA 29 USC 2821d, must meet at least quarterly, and must submit an annual report of its activities to the Governor and the General Assembly.

The bill repeals the Missouri Training and Employment Council Act and dissolves the Missouri Training and Employment Council.

QUALITY JOBS PROGRAM

The bill:

(1) Increases the cap on the amount of tax credits that can be issued in a calendar year for the Quality Jobs Program from \$12 million to \$30 million;

(2) Expands the types of projects which are eligible to receive benefits to include small business job retention and flood survivor relief projects. A qualified company may receive a tax credit for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period. The bill specifies the requirements which must be met including that the qualified company has fewer than 100 employees, the company's average wage must meet or exceed the county average wage, all of the company's facilities are located in Missouri, and that its facilities were directly damaged by flood water rising above the level of a 500-year flood at least two years, but no more than eight years, before an application to the program is made. The qualified company must also invest at least \$2 million in capital

improvements in facilities and equipment located at facilities that are not located within a 500-year flood plain. The tax credit will equal up to 100% of the withholding taxes generated by the full-time jobs at the project facility during a three-year period. The annual maximum amount of tax credits which can be issued to a qualified company cannot exceed \$250,000. The department can propose that this amount be doubled; however, this must be approved by the Quality Jobs Advisory Task Force. The total annual program cap is \$500,000. No credits for this project type can be issued after August 30, 2010;

(3) Prohibits a qualified company from participating in the program's Small Business Job Retention and Flood Survivor Relief project if it received any state or federal benefits, incentives, tax relief, or abatement for locating its facility to a flood plain;

(4) Expands the types of projects which are eligible to receive benefits to include tuition reimbursement. A qualified company may receive a tax credit for providing tuition reimbursement to eligible employees. The credit will be up to 50% of the expenses actually incurred in reimbursing tuition expenses but cannot exceed \$5,000 per employee. A qualified company can receive up to \$25,000 in credits per tax year. The total amount of credits issued in any tax year cannot exceed \$250,000. These credits are not refundable but can be sold or carried forward for five years;

(5) Requires any taxpayer who participates in the program and knowingly hires illegal immigrants to forfeit the program's benefits and repay the state an amount equal to any tax credits redeemed or withholding taxes already retained;

(6) Allows tax credits to offset taxes due from financial institutions under Chapter 148. Currently, the credits can only be used to offset state income taxes imposed by Chapter 143;

(7) Revises the definition of "employee" from a person employed by a qualified company to a person employed by a qualified company on a full-time basis, who receives an annual salary equal to or less than the average salary for the county in which the employee is employed or deemed to be employed;

(8) Revises the definition of "withholding tax" to a computation using a schedule determined by the Department of Economic Development based on average wages. Currently, the definition is the state tax imposed by Sections 143.191 - 143.265;

(9) Allows the annual maximum amount of quality jobs tax credits issued to a qualifying company that participates in both the Quality Jobs Program and the New Job Training Program to be increased by an amount equivalent to the withholding tax retained by that company under the New Job Training Program if the combined benefits do not exceed the projected state benefits of the project;

(10) Requires that if the annual maximum amount of quality jobs tax credits issued to any qualified company is increased to \$1 million, the number of new jobs must exceed 500. Currently, this increase in tax credits can occur by receiving the approval of the department and the Quality Jobs Advisory Task Force;

(11) Specifies the way in which the county average wage will be calculated when a qualified company relocates employees from one county to another;

(12) Revises the definition of "full-time employee" from an employee who works an average of 35 hours per week to an employee of the qualified company that is scheduled to work an average of 35 hours per week, but leaves the remaining requirements of the definition unchanged;

(13) Changes the calculation of new direct local revenue so that local earnings taxes are excluded;

(14) Specifies that no jobs created before the notice of intent will be deemed new jobs;

(15) Specifies the way in which new payroll will be calculated;

(16) Adds educational services, religious organizations, public administration, and utilities regardless of whether or not they are regulated by the Missouri Public Service Commission to the list of entities which are prohibited from being qualified companies. However, the headquarters or administrative offices which would otherwise be excluded may qualify for benefits if the offices serve a multistate territory;

(17) Expands the definition of "technology business project" to include a qualified company that researches, develops, or manufactures power system technology for aerospace, space, defense, hybrid vehicles, or implantable or wearable medical devices;

(18) Requires the department to give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government;

(19) Allows qualified companies to retain withholding taxes once the minimum number of new jobs has been attained and the county average wage has been exceeded; and

(20) Requires the department to verify through the Department of Revenue that the tax credit applicant does not owe any delinquent taxes, interest, or penalties and to verify through the Department of Insurance, Financial Institutions, and Professional Registration that the applicant does not owe any delinquent insurance taxes prior to issuing any tax credits. The amount of tax credits issued will be reduced by any tax delinquency.

SMALL BUSINESS AND ENTREPRENEURIAL GROWTH ACT

The Small Business and Entrepreneurial Growth Act is established for small business employers who expand their business by increasing the number of jobs and meeting certain qualifications. Beginning January 1, 2008, a qualified employer can retain the Missouri withholding tax from the salaries of newly created jobs for one year. If the employer pays more than 50% of the premiums for health insurance for all employees, the withholding tax can be retained for two years.

TICKET SALES AND SCALPING

The bill decriminalizes ticket scalping by repealing Section 578.395 and prohibits any person or corporation from purchasing more than 20 tickets at one time. A person or company will be allowed to purchase any number of tickets through a group sales office.

The provisions regarding tax credits for equity investments, qualified film production projects, installation and operation of a qualified alternative fuel station, E-85 fuel, biodiesel, and biodiesel-blended fuel will expire six years from the effective date. The provisions regarding the tax credit for home modifications for a disabled person will expire on December 31, 2013.

SCS HCS HB 329 — DEBT ADJUSTERS

This bill allows a debt adjuster, working under a debt management plan, to act as an intermediary between a debtor and his or her creditors for the purpose of settling debts. The debt adjuster can charge a reasonable administration fee not exceeding \$50 for an initial set-up fee and the greater of \$35 per month or 8% of the amount distributed monthly to creditors if the debtor is able to pay.

Debt adjusters will be required to provide a blanket bond of at least \$100,000 for the benefit of any debtor who is damaged by a debt adjuster.

HB 344 — FIELD CROP DAMAGE

This bill specifies that a person or entity who negligently damages or destroys a field crop product will be liable for compensatory damages only.

HB 351 — OFFICIAL STATE INVERTEBRATE

This bill designates the crayfish, also known as the crawfish or crawdad, as the official state invertebrate.

HB 352 — STATE PURCHASING AND PRINTING

This bill increases the current five-point bonus bidding preference given by the Commissioner of the Office of Administration to a 10-point bonus for products and services manufactured, purchased, or assembled in qualified nonprofit organizations for the blind and in sheltered workshops if the nonprofit organization provides the greater of 2% or \$5,000 of the total contract amount for purchases not exceeding \$10 million.

Currently, sheltered workshops receive \$13 per standard work day worked by a handicapped employee. For Fiscal Year 2008, the Department of Elementary and Secondary Education will pay each sheltered workshop \$75 per standard work week worked by a handicapped employee and \$15 per standard work day for work performed by handicapped employees in excess of the standard work week. For Fiscal Year 2009, the weekly per-worker amount is increased to \$85 and the daily per-worker amount to \$17; for Fiscal Year 2010, \$90 per week and \$18 per day; and for Fiscal Year 2011 and thereafter, \$95 per week and \$19 per day.

HCS HB 405 — STATE HIGHWAY PATROL

This bill allows the Superintendent of the State Highway Patrol to direct members and other employees of the patrol to carry out any public safety duty or service authorized or appropriated by the General Assembly and specifies that the patrol will be divided into troops rather than districts. The requirement that the superintendent reside in Jefferson City is removed.

The bill contains an emergency clause.

SCS HCS HB 426 — PROPANE SAFETY

This bill establishes the Missouri Propane Safety Act. In its main provisions, the bill:

(1) Establishes the nine-member Missouri Propane Gas Commission within the Department of Agriculture and specifies the criteria for membership, term of office, and procedures for removal from office;

(2) Requires the commission to employ a director and allows the commission to hire additional staff;

(3) Authorizes the commission to regulate propane under Chapter 323, RSMo, establish rules in accordance with Section 323.020, and conduct hearings and regulate disputes arising under the chapter;

(4) Requires the commission to undertake various functions including the development of propane safety plans; the receipt of private and federal funds; the preparation of an annual report of its activities to

the department, Governor, and General Assembly; and the general supervision and representation of the State of Missouri regarding all matters under Chapter 323;

(5) Authorizes the department director to conduct investigations, subpoena witnesses, require attendance at hearings, inspect premises, produce reports, impose specified civil penalties, and issue cease and desist orders;

(6) Specifies the criteria for establishing an initial per-gallon fee to owners of odorized propane for the funding of inspections of propane installations and allows the commission and department director to change the fee structure as specified in the bill;

(7) Allows the commission to establish fees for permits, licenses, and certificates required by Chapter 323 and to change the fee structure every two years;

(8) Creates the Propane Inspection Fund to be used solely for the enforcement of Chapter 323 and prohibits the use of moneys from this fund for lobbying; and

(9) Allows any political subdivision to establish licensing requirements for persons who install, repair, replace, or maintain liquefied petroleum gas or any other fuel gas piping system but prohibits them from adopting any local law in conflict with state requirements for liquefied petroleum gases.

HB 428 — STATE FAIR ESCROW FUND

This bill creates the State Fair Escrow Fund which will be under the direct control of the State Fair Director and the State Fair Commission. All ticket sales income from the Missouri State Fair and any off-season event will be deposited into the fund as well as gifts, grants, contributions, and funds or benefits from any other source. Moneys in the fund may be used for the specified expenses associated with the fair or any off-season event and will not revert or be transferred to general revenue.

SCS HCS HB 431 — BUSINESS ORGANIZATIONS

This bill authorizes the automatic dissolution of a limited liability company (LLC) after the withdrawal of the last remaining member unless there is an agreement by the personal representative of the last remaining member to continue the company or if there is another member added within 90 days of the withdrawal of the last remaining member. Currently, an LLC is dissolved upon the written consent of all members, when there are no remaining members, or upon the occurrence of a condition in the operating

agreement or articles of incorporation of the LLC. The bill revises the definition of “issuing public corporation” in the general provisions for business corporations in Section 351.015, RSMo, and defines “domestic corporation” as a corporation incorporated under Missouri laws in the merger and consolidation provisions in Section 351.459.

SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 — INCOME TAXATION

Beginning January 1, 2007, this bill authorizes an income tax deduction to be phased in over six years for Social Security benefits, Social Security disability benefits, and benefits received from a nonprivate retirement system for individuals 62 years of age or older. For 2007, a taxpayer can deduct 20% of his or her Social Security benefits; for 2008, 35%; for 2009, 50%; for 2010, 65%; for 2011, 80%; and for 2012 and thereafter, 100%. A single taxpayer with an adjusted gross income of \$85,000 or less or a married taxpayer filing a combined return with an adjusted gross income of \$100,000 or less will qualify for the maximum deduction. If a taxpayer's adjusted gross income exceeds the income amount, the deduction will be decreased by \$1 for every dollar in excess of the maximum. If a taxpayer receives both Social Security benefits and public retirement benefits, the maximum deduction for the publicly funded retirement benefits will be decreased by \$1 for every dollar of Social Security benefits received by the taxpayer if the benefits are not included in his or her Missouri adjusted gross income. The maximum deduction for the publicly funded retirement benefits is limited to the maximum Social Security benefits available for the tax year less any Social Security benefits not taxable to Missouri.

A nonresident individual is required to add back to his or her federal adjusted gross income the amount of any property taxes paid to another state that is deducted on his or her federal tax return to determine his or her Missouri taxable income.

The bill also authorizes an income tax deduction for 100% of the qualified health insurance premiums paid by the taxpayer for the taxpayer, taxpayer's spouse, and taxpayer's dependents if the premiums are not already deducted from the taxpayer's federal taxable income. A checkoff box will be added to the Missouri income tax return for a contribution to the After-school Retreat Reading and Assessment Grant Program Fund.

The provisions of the bill will expire six years from the effective date.

SS HCS HB 453 — INCOME TAX CREDITS FOR CERTAIN DONATIONS

Beginning January 1, 2007, this bill authorizes an income tax credit for donations of cash or food to any local food pantry. The amount of the tax credit will be equal to one-half the value of the donation and cannot exceed \$2,500 per taxpayer. The taxpayer must file an affidavit with his or her income tax return verifying the contribution. The tax credit is nonrefundable and cannot be transferred, sold, or assigned but can be carried forward three years. The cumulative amount of the tax credit that can be issued to all taxpayers will be \$2 million per year. If the applications exceed that amount, the Director of the Department of Revenue will establish a procedure by which the credits are apportioned among all applicants.

The Residential Treatment Agency Tax Credit Act is revised so that an eligible donation made to a state agency providing services for children in residential facilities can include cash, publicly traded stocks and bonds, and real estate. These donations will be valued and documented according to rules established by the Department of Social Services.

The provisions regarding the tax credit for donations to food pantries will expire four years from the effective date.

HCS HB 459 — MUNICIPAL LAND TRANSFERS

This bill adds county assessors to the list of county officials who must receive certified copies of the ordinances effecting a concurrent detachment and annexation of property between municipalities.

HCS HB 461 — STATE WATER PATROL

This bill exempts the State Water Patrol from the merit system and specifies certain duties of the Commissioner of the State Water Patrol including:

- (1) Developing rules for instruction and discipline, making administrative rules and regulations, and establishing duty hours;
- (2) Dividing the state into districts and assigning patrol members to the districts;
- (3) Establishing, by general order, promotional procedures and increasing, by promotion, the rank of officers after at least one year of service; and
- (4) Appointing one assistant commissioner, two majors, nine captains, nine lieutenants, and one director of radio, each of whom must have the same qualifications as the commissioner.

The Lieutenant Colonel of the State Water Patrol will assume the duties of the commissioner in his or her absence or upon the commissioner becoming disabled. If the commissioner and the lieutenant

colonel become disabled, the Governor may designate a major as the acting commissioner.

All patrol officers and radio personnel are required to be 21 years of age or older; be United States and Missouri citizens; have certain educational, physical strength, and mental health requirements; and have no felony convictions.

The bill also establishes a disciplinary procedure for members of the patrol who have completed one year of probationary service. After a formal charge has been filed by or before the commissioner and a hearing by a six-member patrol board, a member may be disciplined. The hearing must be held within 30 days after the filing of the charge; and the board must report its findings, vote result, and recommendation for any disciplinary action. The commissioner will make the final decision on the disciplinary action to be taken.

A copy of any complaint filed against a member will be given to him or her unless the commissioner decides to postpone the notification because the disclosure would compromise an investigation of the complaint. Unless waived in writing by the member, he or she will not be interrogated until 48 hours after receiving a copy of the complaint and is entitled to have counsel present during questioning. The member is entitled to a copy of the investigation report and is allowed to present a written response prior to an initial recommendation of discipline. The commissioner may withhold the investigation report if the disclosure might endanger any person.

The bill becomes effective July 1, 2007.

HB 467 — CONVEYANCE IN PETTIS COUNTY

This bill authorizes the Governor to convey state property in Pettis County to the Girl Scouts - Heart of Missouri Council, Incorporated.

The bill contains an emergency clause.

HCS HB 497 — PHYSICIAN ASSISTANTS

This bill expands the definition of "supervision" of physician assistants to allow supervising physicians to be available via telecommunication for consultation, assistance, or intervention. Supervising physicians must be present a minimum of 66% of the clinic's hours for practice supervision and collaboration when utilizing physician assistants, and physician assistants must practice within 30 miles of the supervising physician.

The Advisory Commission on Physician Assistants is authorized to create a waiver mechanism by which an individual physician and a physician assistant together may apply to the State Board of Registration for the Healing Arts for alternate amounts of on-site

supervision and distances from the supervising physician. After receiving a waiver, the physician assistant will be allowed to conduct unsupervised practice up to 50 miles from the supervising physician in a designated health professional shortage area.

Prior to allowing a physician assistant to practice without the physician being physically present, the physician assistant must practice for one month with continuous physician supervision. After January 1, 2008, a physician assistant applicant will be required to have a master's degree from a physician assistant program.

The bill also voids and makes it against public policy to require any physician to enter into any contract or other agreement to act as a supervising physician for any physician assistant. A physician has the right to refuse to act as a supervising physician, and no contract will limit the supervising physician's ultimate authority over any protocols or standing orders. A physician cannot supervise more than three full-time physician assistants except in a hospital setting.

HB 554 — DISCRIMINATION AGAINST LICENSED PROFESSIONAL COUNSELORS

This bill prohibits state and local agencies, including school districts, from discriminating between licensed professional counselors when establishing rules or when requiring or recommending services that may be legally performed by licensed professional counselors.

HCS HB 555 — COMPLAINTS BY INMATES AGAINST PROFESSIONAL COUNSELORS AND LICENSED CLINICAL SOCIAL WORKERS

This bill revises the complaint procedure and document retention requirements when an inmate files a complaint against a licensed professional counselor or licensed clinical social worker. When a complaint by an inmate is found to be lacking merit, no further disciplinary action will take place, no documentation will appear on file, and no notification will be given to the Committee for Professional Counselors or the State Committee for Social Workers within the Department of Insurance, Financial Institutions, and Professional Registration unless there are grounds for disciplinary action to be taken against a counselor's license. A licensee subject to a claim without merit prior to the effective date of the bill may request the committees to destroy documents pertaining to the claim, to notify other state licensing boards that the claim was unsubstantiated, and to supply him or her with a letter stating that the claim was unsubstantiated. Licensees will not be required to disclose the existence of unsubstantiated claims.

CCS HB 574 — LAW ENFORCEMENT

This bill changes the laws regarding the St. Louis Board of Police Commissioners and law enforcement. The bill:

(1) Allows the St. Louis Board of Police Commissioners to delegate some of its jurisdiction to hearing officers. At the board's discretion, a hearing officer may preside over disciplinary matters, submit reports to the board, and make recommendations on disciplinary matters and the appropriateness of the recommended discipline. The process for selecting hearing officers is specified. After a hearing officer presides over a matter, he or she will become ineligible to hear a case until all hearing officers have been utilized, at which time the rotation will begin again, subject to an officer's availability. The board will retain authority to render a final decision after a review of the evidence and the report of the hearing officer;

(2) Removes the requirement that a licensed physician, registered nurse, or trained medical technician must use a nonalcoholic antiseptic for cleansing the skin prior to drawing blood for the purpose of determining the alcohol content of the blood; and

(3) Requires courts to forward alcohol- or drug-related driving offense dispositions to the Department of Revenue within seven days and requires the department to forward the information to the State Highway Patrol within 15 days.

The bill contains an emergency clause regarding the use of a nonalcoholic antiseptic for cleansing the skin prior to drawing blood for the purpose of determining alcohol content.

HB 576 — OFFICIAL STATE GAME BIRD

This bill designates the bobwhite quail as the official state game bird.

SS HB 579 — EMERGENCY MANAGEMENT

This bill transfers the State Emergency Management Agency from the Office of the Adjutant General to the Department of Public Safety and allows for the deployment of any health care provider who is licensed, registered, or certified in this or any other state and volunteers during an emergency declared by the Governor. Currently, only workers licensed, registered, or certified in this state are allowed to be deployed. The bill grants the volunteers immunity from civil damages for their services unless the damages are due to willful and wanton acts or omissions in rendering care. The Department of Health and Senior Services is allowed to recruit,

train, and accept the services of citizen volunteers to dispense medication in a public health emergency.

The bill contains an emergency clause.

SS SCS HCS HB 583 — CRIME VICTIMS

This bill changes the laws regarding the rights of victims of domestic violence and sexual assault.

MEDICAL EXAMINATIONS

The Department of Health and Senior Services is required to pay for forensic examinations of certain victims of sexual offenses. The medical provider performing the exam must file a report of the exam with the prosecuting attorney within three business days of its completion. The Attorney General is required to develop the forms and procedures for gathering evidence during forensic exams, and the department will develop a checklist for medical providers to use while providing treatment to victims. The State Highway Patrol must develop evidentiary collection kits for the forensic examination of sexual assault victims and distribute the kits to medical providers who perform the exams. No medical provider can charge a victim for the exam; but if the victim is eligible for moneys from the Crime Victims' Compensation Fund, the provider may seek compensation from the fund.

PROBATION AND PAROLE

The Board of Probation and Parole within the Department of Corrections must grant parole to any inmate who was convicted of the homicide of a spouse or domestic partner and has served 15 years of his or her sentence if the board determines the inmate will not violate the law in the future. In order to be eligible, the inmate must have pled guilty or begun his or her trial prior to December 31, 1990; must have had no prior violent felony convictions; must no longer have a cognizable legal claim; and must have a history of being a victim of continual and substantial physical or sexual domestic violence that was not presented as an affirmative defense at trial or sentencing and is corroborated with evidence of facts or circumstances which existed at the time of the alleged violence. A person will be guilty of perjury, a class C felony, for knowingly making false witness statements to the board. In cases where witness statements are conflicting as to whether the domestic violence occurred or was substantial and continual in nature, the history must be established by other corroborative evidence in addition to witness statements. A contradictory statement of the victim must not be deemed to be a conflicting statement.

MINOR'S ABILITY TO CONTRACT

Individuals 16 to 17 years of age who are homeless, self-supporting, and whose parents have given implied or express consent can enter into a contract to receive services as a victim of domestic and sexual violence including, but not limited to, counseling, court advocacy, financial assistance, and other advocacy services.

RAPE CRISIS CENTERS

Rape crisis centers and their employees or volunteers are required to maintain confidentiality of information that would identify individuals served by the center and any information directly related to their services. Prior to providing advocacy services, the center must inform the individuals they serve of the nature and scope of the confidentiality requirements. An employee or volunteer of a rape crisis center cannot be required to testify concerning any confidential information unless waived by the individual served.

ORDERS OF PROTECTION

The bill requires the circuit clerk to notify by phone an individual who is petitioning for an ex parte order of protection when the order has been served or if no more attempts to serve are planned if the petitioner has opted to register a phone number with the victim notification system established in Section 650.310, RSMo. All attempts to serve orders of protection must be tracked by the agency responsible for serving the order.

VICTIMS OF CHILD PORNOGRAPHY

Beginning August 28, 2007, a child that was a victim of sexual exploitation or child pornography and who suffered physical or mental injury or illness as a result of the crime is entitled to civil litigation to recover actual and civil costs. All litigation must be filed by the time the child reaches 31 years of age or within three years of the date the victim discovers his or her mental or physical injury, whichever occurs later.

DOMESTIC ASSAULT

A person who commits domestic assault in the first degree will be guilty of a class A felony if he or she has previously pled guilty to or has been found guilty of committing the crime. Currently, this crime is a class B felony unless the person inflicts serious physical injury on the victim, in which case it is a class A felony.

SEXUAL ASSAULT VICTIMS

Victims of sexual assault or forcible rape will not be required to take polygraph tests or psychological stress evaluator exams as a condition for proceeding

with a criminal investigation. After August 28, 2007, information in court records that could be used to identify any victim of sexual assault, domestic assault, stalking, or forcible rape will be closed. Identifying information includes the name, address, telephone number, Social Security number, physical characteristics, or any other information that the court believes could be used to locate a victim.

ADDRESS CONFIDENTIALITY PROGRAM

The Address Confidentiality Program is established, administered by the Office of the Secretary of State, to protect victims of domestic violence, rape, sexual assault, or stalking by establishing a designated address for victims and their minor children. An adult, parent of a minor, or guardian of an incapacitated person can apply to the Secretary of State to have a designated address assigned. The application must contain certain information, including the person's mailing address, the applicant's signature, and a designation of the Secretary of State as agent for the purpose of service of process and receipt of first-class mail, legal documents, and certified mail. The applicant must supply a sworn statement that he or she is a victim of violence and fears further violent acts from his or her assailant. The applicant must also supply addresses that he or she does not want disclosed because it will jeopardize the applicant's safety. Upon receiving a properly completed application, the Secretary of State can certify the applicant as a program participant for four years and forward his or her first-class mail, legal documents, and certified mail. Notification of lapsing certification and a reapplication form must be sent to the program participant at least four weeks prior to expiration. The Secretary of State can cancel, with limited exceptions, the certification of a program participant if:

- (1) The participant obtains a name change;
- (2) There is a change in the mailing address from the person listed on the application and another address is not provided; or
- (3) The applicant or participant provides false information or makes false claims in the application or assists another person in doing so.

State and local agencies and the courts must accept the designated address as a program participant's address when creating new public records unless statute requires otherwise.

The Secretary of State can make a program participant's address or mailing address available if requested by law enforcement or the director of a state agency if there is a statutory or administrative requirement for the use of the address. The Secretary of State must make a program participant's addresses available:

(1) To a person identified in a court order when the order specifically requires the disclosure of a participant's address and the reasons for the disclosure; or

(2) If the certification has been canceled because the applicant or participant used false information in an application or made a false claim.

A program participant's application and supporting materials are not a public record and must be kept confidential.

VICTIM RIGHTS AT PUBLIC HEARINGS

A victim is allowed to offer a statement by counsel or a representative designated by the victim in lieu of a personal appearance at a hearing before juvenile authorities, the Board of Probation and Parole, or a mental health facility. The victim also has the right to have a partition set up in the probation and parole hearing room to shield the victim from the offender.

An employer cannot discharge or discipline an employee for attending a criminal proceeding or require any witness, victim, or member of the victim's family to use vacation time, personal time, or sick leave for honoring a subpoena to testify at, attend, or participate in a criminal proceeding.

CRIME VICTIMS' COMPENSATION

A party aggrieved by a decision of the Department of Public Safety on a claim under the Crime Victims' Compensation Fund is allowed to file a petition with the Division of Workers' Compensation within the Department of Labor and Industrial Relations to have the decision heard by an administrative law judge. The petition must be filed within 30 days of notification of the decision. A decision of the administrative law judge is appealable to the Labor and Industrial Relations Commission with the decision appealable to a court of appeals.

In order to properly file a report of a sexual offense with the proper authorities, the report of the forensic exam may be filed with the prosecuting attorney. Under certain circumstances, a victim could receive payment for out-of-pocket losses from the Crime Victims' Compensation Fund for the value of the loss sustained up to \$250.

The provisions regarding the Address Confidentiality Program will expire six years from the effective date.

HCS HB 616 — COUNTY BOARDS OF EQUALIZATION

This bill makes the county assessor a nonvoting member of his or her county board of equalization and requires the county commission to appoint two additional members to the board. The county

assessor or a member of his or her staff will be required to attend any meeting of the board and will have the right to present evidence regarding any assessment matter.

SCS HCS HB 619 & 118 — CIVIL AIR PATROL

This bill specifies the situations in which the Civil Air Patrol may be activated and that the patrol may be used to assist National Guard noncombatant missions or missions in support of civil authorities and state agencies which have established agreements with the patrol.

Activation requests must be made to the commander of the Missouri Wing of the Civil Air Patrol. Prior to its activation, the wing commander or the Adjutant General must apply for federal mission status and funding. If a mission of the patrol is granted federal mission status and assigned an accompanying federal mission number, the operation will be paid for by the federal government and members of the patrol will be considered federal employees for the purpose of any tort or workers' compensation claim arising from the mission.

If an operation is not granted federal mission status, the state will pay for the mission using funds appropriated from the state agency which requested the patrol's participation. In this case, members of the patrol will be considered state employees for the purpose of any tort or workers' compensation claim. Any request for a mission must be approved by the department director of the requesting agency, the Adjutant General, and the Commissioner of the Office of Administration except for missions supporting the Office of Adjutant General.

These provisions apply to any Civil Air Patrol personnel and aircraft from any state flying a mission for any Missouri state agency.

HCS HB 654 & 938 — PROPERTY TAX EXEMPTIONS, VETERANS' PROGRAMS, AND THE STOLEN VALOR ACT

This bill exempts all property of a veterans' organization with a congressional charter from real and personal property taxes.

The amount of matching grants to be awarded annually for veterans' service officer programs by the Missouri Veterans Commission is increased from \$750,000 to \$1 million.

The Stolen Valor Act of 2007 is established which makes it unlawful for any person to knowingly misrepresent himself or herself as a veteran or a medal recipient. Any violation of this provision will be a class A misdemeanor for the first offense and a class D felony for any subsequent offense. If certain

decorations or medals are involved in the offense, it will be a class C or class D felony.

HCS HB 678 — SCHOOL ATTENDANCE IN INCLEMENT WEATHER

This bill allows school districts in counties declared a federal disaster area after the January 2007 ice storms to not make up lost school time from January 15 to January 22. This provision does not apply to the Nixa R-II and Joplin R-VIII school districts. School districts in counties not included in the federal disaster area that have missed eight or more days due to inclement weather during the 2006-2007 school year are not required to make up six of those days, and the requirement for scheduling two-thirds of the missed days into next year's school calendar is waived for the 2007-2008 school year.

The bill contains an emergency clause.

HB 680 — OFFICIAL STATE GRASS

This bill designates Big Bluestem as the official state grass.

SCS HB 684 — CONVEYANCES OF PROPERTY

This bill authorizes the Governor to convey state property in the City of St. Louis and the counties of Greene, Jackson, Livingston, Newton, St. Francois, St. Louis, and Texas.

The bill contains an emergency clause.

HB 686 — NURSING HOME ADMINISTRATORS' RULE-MAKING AUTHORITY

This bill expands the rule-making authority of the Missouri Board of Nursing Home Administrators to include the issuance of a separate license to an administrator of an assisted living facility.

HB 732 — MEMORIAL HIGHWAY AND BRIDGE DESIGNATIONS

This bill adds emergency personnel killed while performing their duties to the list of individuals who are eligible for memorial highway or bridge designations without the requirements of the formalized highway naming process in Section 227.299, RSMo.

SS SCS HB 740 — CONVEYANCES IN JOHNSON AND NODAWAY COUNTIES

This bill authorizes the Governor to convey an easement over state property in Johnson County to the City of Warrensburg and authorizes the Board of Regents of Northwest Missouri State University to convey state property in Nodaway County.

SS HCS HB 741 — ECONOMIC DEVELOPMENT PROGRAMS

This bill changes the laws regarding the Linked Deposit Program, tax increment financing, biodiesel incentives, regional economic development districts, and the Missouri Rice Certification Act.

LINKED DEPOSIT PROGRAM

The bill allows an eligible, locally owned business to participate in the Linked Deposit Program. The majority ownership of an eligible, locally owned business must be comprised of residents of the county in which the business is headquartered, and the county must have:

- (1) A population of 12,500 or fewer; and
- (2) A median income equal to or less than the state median income; or
- (3) An unemployment rate equal to or greater than the state unemployment rate.

TAX INCREMENT FINANCING

The bill:

(1) Requires, beginning January 1, 2008, any municipality in the counties of Jefferson, St. Charles, or St. Louis to establish a county tax increment financing (TIF) commission in the same manner as St. Louis County. The bill specifies the membership of the 12-member commission;

(2) Requires, beginning January 1, 2008, any municipality in the counties of Franklin, Jefferson, St. Charles, or St. Louis to obtain permission from its county TIF commission before implementing a TIF project;

(3) Requires, beginning January 1, 2008, a two-thirds majority vote of a municipality's governing body to overturn a county TIF commission's recommendation against a proposed TIF redevelopment plan, project, or area;

(4) Requires the Joint Committee on Tax Policy to study the feasibility of establishing a program to allow municipalities to engage in TIF-like projects, with optional tax abatement in any area of the municipality without regard to the presence of blight. The committee must report its findings to the General Assembly by December 31, 2007; and

(5) Authorizes a tax credit, beginning January 1, 2008, for certain taxpayers who modify their homes to make them accessible to a disabled person living in the home. If any portion of the modification was claimed as a deduction on the taxpayer's federal income tax return, the amount of the tax credit will be reduced by the amount of the deduction. Taxpayers cannot receive this credit in two consecutive years. The tax credit has a cap of \$2,500 per taxpayer and an annual cap of \$100,000. The tax credit

is not transferrable but will be refundable. To the extent there are tax credits remaining under the \$10 million cap in the Rebuilding Communities Tax Credit Program, the first remaining \$100,000 will be used for this tax credit.

MISSOURI QUALIFIED BIODIESEL PRODUCER INCENTIVE FUND

The bill:

(1) Removes the current criteria that the biodiesel producer monthly incentive payment is calculated based on the estimated gallons of biodiesel produced from agricultural products originating in Missouri and allows the payment to be based on the amount of biodiesel produced from agricultural products from any state;

(2) Requires a Missouri qualified biodiesel producer to register with the Department of Agriculture by September 1, 2007; to begin construction on the biodiesel facility before November 1, 2007; and to begin producing biodiesel fuel before March 1, 2009; and

(3) Implements specific payback requirements if a Missouri qualified biodiesel producer sells the biodiesel facility after receiving a grant payment from the Missouri Qualified Biodiesel Producer Initiative Fund.

REGIONAL ECONOMIC DEVELOPMENT DISTRICT LAW

The bill:

(1) Establishes the Regional Economic Development District Law;

(2) Allows two or more governing bodies to establish a regional economic development district to develop programs encouraging economic development within the district. The governing bodies must enact identical ordinances or mutually agree to the district's establishment. The ordinances or mutual agreements must specify the qualifications, terms, membership, and powers of the district's board;

(3) Allows the district to impose, upon voter approval, a sales tax of 0.125%, 0.25%, 0.375%, or 0.5% within the district to be used for the benefit of the district;

(4) Creates the Regional Economic Development District Sales Tax Trust Fund for the deposit of all revenue levied from the district's sales tax;

(5) Prohibits the revenue from the district's sales tax from being included in calculations of money available to other special taxing districts that may also be a part of the regional economic development district. Other special taxing districts include TIF districts, neighborhood improvement districts, and community improvement districts. Revenue from the regional economic development district's sales

tax can only be used for its purposes and cannot be diverted to any other special taxing district unless approved by the district's board;

(6) Requires the board to make a report available to the public at least annually on the use of its funds;

(7) Allows the board to adopt incremental tax financing for the purposes of the district; however, this cannot be used for any retail projects;

(8) Specifies the manner in which ad valorem taxes and payments in lieu of taxes will be divided among affected taxing districts;

(9) Allows the district to collect 50% of the economic activity tax revenue received from sales within the district for 25 years;

(10) Specifies the requirements of a regional economic development plan;

(11) Requires that certain findings be made by the board before adopting a regional economic development plan, including a determination that the development area has not been subject to growth and development through private investment and that this cannot be reasonably expected to occur without the implementation of regional economic development projects and the adoption of incremental tax financing;

(12) Prohibits the initial development or redevelopment of gambling establishments; and

(13) Allows the district to issue bonds to pay for the costs associated with the regional economic development projects.

MISSOURI RICE CERTIFICATION ACT

The bill:

(1) Establishes the Missouri Rice Certification Act, which prohibits the production, transportation, or handling of certain rice varieties;

(2) Establishes the Rice Advisory Council, which will consist of 10 members, and specifies its membership, powers, and duties;

(3) Requires the Department of Agriculture to:

(a) Prevent the contamination of rice that has not been identified as having characteristics of commercial impact;

(b) Specify certain notification requirements for producers, transporters, and receivers of rice with characteristics of commercial impact;

(c) Enforce restrictions on rice with characteristics of commercial impact; and

(d) Investigate alleged violations, issue written notices of violation, and impose penalties for violation; and

(4) Authorizes a penalty of \$10,000 to \$100,000 per violation per day for violating these provisions.

Information relating to the act will not be subject to the Open Records Law, commonly known as the Sunshine Law.

The provisions regarding the feasibility study by the Joint Committee on Tax Policy will expire on January 1, 2008; and the provisions regarding the tax credit for home modifications for a disabled person will expire on December 31, 2013. The provisions regarding the Missouri Rice Certification Act become effective 180 days from the effective date.

HB 754 — DISBURSEMENT OF FUNDS BY THE DEPARTMENT OF CORRECTIONS

This bill authorizes the Department of Corrections to disburse federal funds under applicable federal guidelines and state funds as appropriated and directed by the General Assembly.

CCS SS SCS HCS HB 780 — PROFESSIONAL REGISTRATION

This bill changes the laws regarding the licensure of certain professionals in the Division of Professional Registration within the Department of Insurance, Financial Institutions, and Professional Registration.

PROFESSIONAL LICENSE RENEWAL

Deaf interpreters, occupational therapists, occupational therapy assistants, clinical perfusionists, dietitians, massage therapists, interior designers, acupuncturists, tattooists, body piercers, and branders are added to the list of licensed professionals who are allowed to extend their license renewal with the division while on active military duty until up to 60 days after completing their service.

CHRONIC KIDNEY DISEASE TASK FORCE

The Chronic Kidney Disease Task Force is established to educate the public and health care professionals about early screening, prevention, diagnosis, treatment, and complications of chronic kidney disease. The task force must submit a report of its findings and recommendations to the General Assembly within one year of the first task force meeting.

MIXED MARTIAL ARTS

The bill changes the laws regarding the regulation of mixed martial arts, full-contact karate, boxing, kickboxing, and wrestling. The bill:

(1) Defines "amateur," "boxing," "mixed martial arts," "full-contact karate," "kickboxing," and "wrestling";

(2) Revises the definition of "combative fighting";

(3) Revises the definition of "bout" to include professional mixed martial arts;

(4) Authorizes the division to establish rules governing amateur sanctioning bodies;

(5) Allows a gross receipts tax to be assessed on pay-per-view telecasts of these events;

(6) Removes the limit on the number of rounds and the time of each round for professional events;

(7) Increases the length of the medical suspension for contestants who lose consciousness during a professional event from 120 to 180 days;

(8) Expands the disciplinary authority of the Office of Athletics within the division; and

(9) Requires contestants participating in boxing, kickboxing, wrestling, full-contact karate, or mixed martial arts to sign a bout contract with the event promoter before each contest which specifies their weight, how much they are being paid, and the date and location of the event.

TATTOOISTS, BRANDERS, AND BODY PIECERS

The department director is authorized to establish educational and training requirements for individuals engaged in tattooing, branding, and body piercing. Specific causes for complaints to be filed with the Administrative Hearing Commission are established.

PRIVATE INVESTIGATORS

The Board of Private Investigator Examiners is established within the division. No person can provide private investigative services without being licensed. The bill specifies the membership and duties of the board; exemptions from licensure; requirements for application and licensure; proof of liability insurance; training and written examinations; fees; background checks on applicants; the appeal process for the denial, suspension, or revocation of licenses; types and terms of licenses; continuing education requirements; and the procedure for applicants seeking reciprocity. Licensees are allowed to disclose to the board, any law enforcement agency, a prosecutor, or the licensee's own representative any information regarding a criminal offense or to instruct their clients to do so if they are victims of a criminal act. Licensees are prohibited from making false reports, presenting themselves as a state or federal officer, or manufacturing false evidence. Certain identifying evidence must be filed with the board by licensees. Private investigators or investigator agencies are required to maintain complete records of business transactions. Records may be confidentially examined by the board under certain circumstances. Certain exemptions are allowed for current private investigators.

ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects is authorized to impose civil penalties upon any person practicing these professions without a valid license, subject to an administrative action by the board.

Complaints must be filed with the Administrative Hearing Commission. If the commission finds that an unlicensed person has violated the provisions of the bill, the board may issue a civil penalty not to exceed \$5,000 for each day of violation, with a maximum penalty of \$25,000. The person being fined has the right to appeal to a circuit court. If the case is finalized and the penalty is not timely paid, the Attorney General may commence an action to recover the penalty, including court costs, attorney fees, and surcharges.

The board is also authorized to assess reasonable costs and expenses incurred in conducting the investigation and administrative hearing and impose a civil penalty against a licensee after the commission has found a cause for discipline.

An unlicensed individual will be allowed to use a form of the word "engineer" without being subject to disciplinary action if the use of the term is reflective of his or her profession and does not imply that he or she is a professional engineer.

CHIROPRACTORS

The bill specifies that the term "practice of chiropractic" is the examination, diagnosis, and treatment by methods commonly taught in any chiropractic college or chiropractic program in a university accredited by the Council on Chiropractic Education, its successor entity, or a program approved by the State Board of Chiropractic Examiners.

STATE BOARD OF REGISTRATION FOR THE HEALING ARTS

A graduate of a medical school accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates is allowed to serve as a member of the State Board of Registration for the Healing Arts.

NURSES

The bill changes the laws regarding the licensing of nurses. The bill:

(1) Establishes a lapsed and a retired license status;

(2) Requires the notice of a disciplinary hearing before the State Board of Nursing to be served in person or by certified mail. If this cannot be accomplished, the board may publish the notice in a local newspaper;

(3) Authorizes the board to establish an impaired nurse program to promote early intervention and treatment of nurses who may be impaired by reasons of illness, substance abuse, or mental illness and may require a nurse to enter treatment as a condition for licensure;

(4) Allows the board to request an expedited hearing before the Administrative Hearing Commission if the board determines that a nurse has committed an act which is a clear and present danger to the public. Fifteen days after the complaint and after a preliminary hearing, the board may immediately restrict or suspend the license. Temporary authority to suspend a license becomes final if the nurse does not request a full hearing within 30 days;

(5) Allows for the sealing of records if the board, commission, or a court of competent jurisdiction determines that a complaint does not constitute a violation of the Nursing Practice Act and is unsubstantiated;

(6) Allows a person holding the title of advanced practice registered nurse to use the title or any other title appearing on his or her license;

(7) Makes it unlawful for any unlicensed person to use the title of nurse;

(8) Makes a person who violates any provision of Chapter 335, RSMo, guilty of a class D felony. Currently, it is a class A misdemeanor;

(9) Specifies that reports made to the board do not violate the federal Health Insurance Portability and Accountability Act because the board qualifies as a health oversight agency;

(10) Defines “temporary nursing staffing agency” as any person, firm, partnership, or corporation doing business within the state that supplies, on a temporary basis, registered nurses or licensed practical nurses to a hospital, nursing home, or other facility and requires them to report any disciplinary action against a licensed health care professional to the respective licensing board;

(11) Allows a person listed as a Christian Science nurse in the Christian Science Journal to use the title Christian Science nurse under certain conditions; and

(12) Revises the definition of “qualified employment” as it relates to the Nursing Student Loan Program to include any agency in an area of need as well as any public or nonprofit agency.

OPTOMETRISTS

The bill changes the laws regarding the licensing of optometrists and the practice of optometry. The bill:

(1) Specifies that the term “practice of optometry” is the examination, diagnosis, treatment, and preventative care of the eye, adnexa, and vision;

(2) Prohibits any person from practicing optometry without a license;

(3) Specifies who is qualified to receive a license;

(4) Requires an optometrist practicing away from his or her principal place of business to obtain a duplicate license and display it in clear public view;

(5) Allows an optometrist licensed in another state who has practiced for at least three years in the preceding five years with a pharmaceutical certification to be eligible to make application for licensure;

(6) Increases the continuing education requirements;

(7) Removes the requirement that the State Board of Optometry give 30 days’ notice of the time and place of board meetings; and

(8) Changes the laws regarding the administering of pharmaceuticals, course of instruction necessary to administer pharmaceuticals, standards of care, and referrals to physicians.

SOCIAL WORKERS

The bill changes the laws regarding the licensing of social workers. The bill:

(1) Defines “advanced macro social worker,” “licensed advanced macro social worker,” “licensed baccalaureate social worker,” “licensed master social worker,” “master social work,” “practice of advanced macro social work,” “practice of baccalaureate social work,” “practice of master social work,” “qualified advanced macro supervisor,” and “qualified baccalaureate supervisor”;

(2) Renames the Clinical Social Workers Fund to the Licensed Social Workers Fund;

(3) Requires clinical social worker applicants to complete 3,000 hours of supervised clinical experience with a qualified clinical supervisor instead of a licensed clinical social worker;

(4) Changes the membership of the State Committee for Social Workers by adding one licensed advanced macro social worker and changing the current two licensed baccalaureate social workers to one licensed master social worker and one licensed baccalaureate social worker;

(5) Authorizes the committee to establish rules regarding supervised experience and competency for master, advanced macro, and baccalaureate social workers;

(6) Establishes the qualifications for applying for a license as a master social worker or advanced macro social worker; and

(7) Authorizes the committee to issue certificates to licensed baccalaureate social workers to practice independently if they have met certain criteria specified in the bill.

MARITAL AND FAMILY THERAPISTS

The definition of “marital and family therapy” is revised to include diagnosing marital, family, and individual behavior and intrapersonal or interpersonal dysfunctions within the context of marital and family systems.

Beginning August 28, 2008, an applicant for a marital and family therapist license must complete at least three semester hours of graduate course work in diagnostic systems and supervised diagnosis education as a core component of postgraduate supervised clinical experience.

The reciprocity provision regarding licensed marital and family therapists is changed to allow a person holding a current, unsanctioned license from another state whose requirements are substantially the same as Missouri's to apply for a license with the State Committee on Marital and Family Therapists within the department without passing an examination.

VETERINARIANS

The bill specifies that nothing will prevent a veterinarian from compounding and dispensing his or her own prescriptions and that a veterinary license is not required for a person to sell, dispense, or fill pharmaceutical products or drugs for treating animals.

REAL ESTATE COMMISSION

The Missouri Real Estate Commission is authorized to impose civil penalties upon a licensee for a violation of the real estate licensing regulations and also against an unlicensed person performing any acts for which a valid real estate license is required. Complaints must be filed with the Administrative Hearing Commission; and if the commission finds that a person has violated provisions of the bill, the Missouri Real Estate Commission may issue a civil penalty, not to exceed \$2,500 for each day of violation.

NURSING HOME ADMINISTRATORS

The bill changes the laws regarding the licensing of nursing home administrators. The bill:

- (1) Requires licensing fees to be paid to the Department of Health and Senior Services;
- (2) Prohibits an applicant for licensure who has failed three times the national examination administered by the Missouri Board of Nursing Home Administrators from being licensed unless he or she has successfully completed the board-prescribed course of instruction and passed the examination;
- (3) Allows a temporary emergency license to be issued to an applicant whose licensing examination results have not been received by the board;
- (4) Authorizes the board to issue probationary licenses and to establish an inactive license for a licensee who requests it;
- (5) Allows the board to file a complaint with the Administrative Hearing Commission for a violation of any provision of Chapter 198 or rule established by the board and adds additional grounds for which a licensee can be disciplined; and

- (6) Requires that certain members of the board be citizens of the United States and reside in Missouri for at least one year prior to their appointment and replaces the Director of the Division of Aging with the department director.

AUDIOLOGISTS AND HEARING INSTRUMENT FITTERS

The term "practice of audiology" is expanded by adding the fitting, programming, and dispensing of assistive listening devices and other amplification systems. Licensees who sell these devices are required to provide a purchase agreement to the buyer containing product information including the terms of sale, name of manufacturer, make, model, current condition of the product, and other details.

Currently, hearing instrument retailers must employ a licensed hearing instrument specialist. The bill allows them to employ either a licensed audiologist or a licensed hearing instrument specialist. The bill also phases in educational requirements for applicants for hearing instrument specialist licenses or hearing instrument specialist-in-training permits.

DECEPTIVE BUSINESS PRACTICES

The bill prohibits any person from advertising or conducting a live musical performance in Missouri while using a false, deceptive, or misleading affiliation between the performing group and the original recording group. The bill does not apply when:

- (1) One member of the performing group was a member of the original recording group and has a legal right to advertise the affiliation;
- (2) The performance is identified as a tribute or salute to the original recording group;
- (3) The advertising does not relate to a performance to be held in Missouri;
- (4) The performing group has express authorization from the original recording group to use the affiliation; or
- (5) The performing group is an authorized registrant or owner of a trademark for the original recording group name.

The Attorney General or prosecuting attorney is authorized to bring an action for a temporary or permanent injunction against any person who is in violation of these provisions. Any person found in violation will be assessed a civil penalty of \$5,000 to \$15,000 per violation and may be required to pay restitution to the original recording artist in an amount equal to the money acquired due to the false, deceptive, or misleading affiliation between the performing group and the original recording group.

The provisions regarding the mixed martial arts become effective July 1, 2008.

SCS HB 791 — HEALTH CARRIER CLAIMS INFORMATION

Beginning January 1, 2008, this bill requires health carriers to provide, no more than twice in any calendar year, a report of the total number and dollar amount of claims paid in the previous three years within 30 days of an employer's request. When an employer has multiple plans, the total dollar amounts must be combined into one report. The information will be furnished in a manner that does not individually identify any employee or other person covered by the health benefit plan and must comply with all applicable federal and state privacy laws regarding the disclosure of health records. As it relates to these provisions, an employer is anyone who provides an employee health benefit plan for at least 51 persons at the time of the request or at the start of the reporting period and has been insured continuously with the carrier for at least the preceding 22 months.

SCS HCS HB 795 — LOCAL PUBLIC IMPROVEMENTS

This bill authorizes certain cities and counties to impose sales or transient guest taxes; allows certain counties to establish theater, cultural arts, and entertainment districts; shortens the length of the term of office for certain directors of public water supply districts; and allows Kansas City to establish an administrative system for adjudicating parking and other civil, nonmoving municipal code violations.

SALES TAX IN PERRY COUNTY FOR COMMUNITY PROGRAMS

Perry County is authorized to impose, upon voter approval, a sales tax of up to .25% to equally fund senior services and youth programs. The revenue collected for youth programs will be administered by an existing county tax force, while a seven-member senior services tax commission must be established to administer the revenue received for senior services. Appointments to the senior services tax commission will be made by the county commission, which will determine the qualifications, terms of office, and duties of the senior services tax commission.

TRANSIENT GUEST TAXES

The bill:

(1) Specifies that in Pulaski County, for the purpose of collecting a transient guest tax, the term "transient guests" means persons who occupy a room in a hotel or motel for 90 days or less during any calendar quarter;

(2) Authorizes the City of Sullivan and the portion of the Sullivan C-II School District located in Franklin County to impose, upon voter approval, a transient guest tax of from 2% to 5% per room per night for the promotion of tourism; and

(3) Authorizes the cities of Augusta, Carrollton, Chillicothe, Liberty, Miami, Missouri City, and Pleasant Hill to impose, upon voter approval, a transient guest tax of up to 5% per room per night to be used for the promotion of tourism.

THEATER, CULTURAL ARTS, AND ENTERTAINMENT DISTRICTS

Currently, only St. Charles County and its municipalities are allowed to establish a theater, cultural arts, and entertainment district. The bill allows the governing body of any county or city that has adopted transect-based zoning under Chapter 89, RSMo, and the counties of Boone, Clay, Franklin, Jackson, or Jasper and their municipalities to form a district.

The bill:

(1) Allows the district to fund infrastructure projects;

(2) Reduces the number of contiguous acres the district must include from 50 to 25;

(3) Requires, instead of allows, the governing body of the city or county in which a district is proposed and approved to pass a resolution containing specified information regarding the establishment of the district;

(4) Specifies the meaning of "transect-based zoning"; and

(5) Repeals the duplicate of Section 67.2505.

PUBLIC SAFETY SALES TAX IN THE CITY OF ST. LOUIS

The City of St. Louis is authorized to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments including the costs of compensation, pension programs, and health care for its employees and pensioners.

PUBLIC WATER SUPPLY DISTRICTS

The term of office for directors of public water supply districts elected in 2008, 2009, and 2010 is changed from June to April because of a change in the date of their election.

NONMOVING MUNICIPAL CODE VIOLATIONS

The City of Kansas City is allowed to establish, by order or ordinance, an administrative system for adjudicating parking and other civil, nonmoving municipal code violations. Currently, only the City of St. Louis may establish this type of system.

SCS HB 801 — TELECOMMUNICATIONS

This bill removes the expiration date of August 28, 2007, in Section 392.410, RSMo, which restricts political subdivisions from providing certain telecommunication services or facilities.

SS#2 SCS HCS HB 818 — HEALTH INSURANCE

This bill establishes the Missouri Health Insurance Portability and Accountability Act including provisions to make Missouri compliant with the federal Health Insurance Portability and Accountability Act and changes the laws regarding health care insurance.

MISSOURI CONSOLIDATED HEALTH CARE PLAN

The Missouri Consolidated Health Care Plan must offer all qualified state employees and retirees the option of receiving health care coverage through a high-deductible plan combined with a health savings account beginning with the open enrollment period in 2009.

MISSOURI HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

The bill changes the laws regarding health insurance carriers. Carriers that provide health insurance coverage are allowed to exclude or limit plan benefits, for no more than 18 months, if a medical condition received medical consideration within six months of enrolling into the plan and to reduce pre-existing condition exclusions by the amount of creditable coverage a participant has accrued, subject to specified restrictions. A carrier can provide an affiliation period for coverage if no pre-existing condition exclusions are imposed, the period is applied uniformly and does not exceed two months or three months for a late enrollee, or the period starts on the enrollment date and runs concurrently with waiting periods. A carrier can also discontinue or not renew a type of coverage or all health insurance coverage offered in the market, subject to specified exceptions. Small employer carriers are not required to offer coverage to an employer or employee if the employer or employee is not physically located in the carrier's established geographic service area or there is no capability to deliver adequate services. Carriers offering coverage in the individual market can modify coverage at the time of renewal only if the change is applied uniformly among all individual policies.

Health insurance carriers are prohibited from applying pre-existing conditions relating to a pregnancy or to a child who is adopted or placed for adoption before reaching 18 years of age when creditable coverage applies and from discontinuing a type of coverage or all health insurance coverage offered

in the market subject to some specified exceptions. The carriers are allowed to make modifications to the coverage. Carriers are also prohibited from denying coverage renewal to an employer unless they deny coverage renewal to all employers in the association; and employer associations cannot deny coverage renewal to an individual unless the association doesn't renew coverage to all employees.

Health insurance carriers are required to provide a certification of creditable coverage to the insured and special enrollment periods in certain specified circumstances. Carriers must follow standards prohibiting the discrimination of eligible individuals based on physical or mental health, claims experience, medical history, genetics, insurability, or disability and premiums based on health status; however, there will be no restrictions on the amount of employer contributions or from offering discounts or rebates for individuals who participate in health promotion and disease prevention programs if that premium discount or rebate will not be included when computing a small group rate band under the Small Employer Health Insurance Availability Act. If a carrier elects to discontinue offering all coverage in a defined market, notice to discontinue or not renew all health insurance coverage in the market must be provided, and the issuer cannot re-enter the market for five years.

Employers that sponsor health plans through a carrier can opt to renew or continue coverage, subject to specified restrictions; and if the employer contributes to a health plan for an employee, the carrier must provide a premium-only cafeteria plan. Employers who are self-insured are not required to offer cafeteria plans. Employers can also pursue a defined-contribution model without a group plan operated through a carrier. Small employer health plans must comply with the requirements used by small employer carriers when determining whether to provide coverage to an employer, and if an eligible employee chooses to retain his or her individually underwritten health benefit plan when he or she gains employment with a small employer that offers small group coverage, the individually underwritten plan is not subject to the small group provisions. A carrier is prohibited from requiring minimum participation by greater than 100% of groups of three or fewer eligible employees or greater than 75% of groups of more than three employees. Small employer carriers must actively market all plans sold in the small group market to eligible small employers. Small employer carriers will not be required to actively market plans developed for health benefit trust funds to all eligible employers in the state.

MISSOURI HEALTH INSURANCE POOL

The Missouri Health Insurance Pool Board of Directors is allowed to administer a separate account for federally eligible individuals from other pool eligible individuals, and its administrator and its employees are exempt from legal action regarding their participation in the required duties of the pool. Additional reasons for removing members from the board are specified including neglect of duty, misfeasance, malfeasance, or nonfeasance in office. Five ex officio members are added to the board including two members of the House of Representatives, two Senators, and one member from a Missouri hospital. Their term of office will expire December 31, 2009. The board must conduct a study regarding the financing of the pool and submit a report of its findings and recommendations to the General Assembly by January 1, 2008.

Criteria are established for determining the eligibility of an individual for the high-risk pool. Persons who have or obtain coverage similar to a pool plan are ineligible for coverage. This exclusion will not apply to a person who has the coverage if the premiums have increased to 150% to 200% of the rates established by the board. After December 31, 2009, the exclusion will not apply to a person who has the coverage if the premiums have increased to 300% of the rates established by the board. A person may maintain eligibility by keeping other insurance coverage in order to satisfy a pre-existing condition waiting period. Similarly, a person may maintain plan coverage to satisfy a pre-existing condition waiting period under another health insurance policy intended to replace the pool policy. A health insurance carrier must notify individuals of the existence of the pool and its eligibility requirements if the carrier takes certain actions such as the rejection or cancellation of coverage or the limitation of coverage which are likely to make the individual eligible for pool coverage. The high-risk pool must offer all eligible persons for pool coverage the option of receiving health insurance coverage through a high-deductible plan with a health savings account. The high-risk pool must establish premium rates for pool coverage. Premium rates and schedules must be submitted to the department director for approval prior to their use. The standard risk rate will be determined by considering the premium rates charged by other health insurers offering individual coverage. The initial rates for pool coverage will not be less than 125% of the rates established as applicable for individual standard risks. Pool rates cannot exceed 150% of the standard rate charge for federally eligible individuals. Coverage provided in the pool will exclude expenses for 12 months for

pre-existing conditions, and certain individuals will be excluded including federally eligible individuals without significant gaps in coverage from pre-existing condition exclusions.

SMALL EMPLOYER HEALTH INSURANCE ACT

Small employer health insurance premium rates can vary from the federal Consumer Price Index by 35% rather than the current 25%. Health benefit plans must be renewable to eligible employees and dependents at the option of the employer unless the employer fails to pay premiums, commits fraud, or discontinues coverage in the small group market; there are no eligible individuals residing in the service area; the health insurance carrier discontinues coverage; or the employer discontinues membership in his or her association through which the coverage is provided. Employers can modify health plan coverage in the small group market if changes are uniform across the state and with other health plans.

HEALTH CARE SHARING MINISTRY

"Health care sharing ministry," defined in Section 376.1750, RSMo, as a faith-based, nonprofit organization that acts as a source of information between members who have financial, physical, or medical needs and members who can assist those with these needs, will not be subject to Missouri's health insurance laws. Beginning January 1, 2007, the bill authorizes an income tax deduction for the amount a taxpayer has paid as a member of a health care sharing ministry. The deduction is only allowed to the extent that the amount is not deducted on the taxpayer's federal income tax return.

HEALTH INSURANCE TAX CREDITS AND INCOME TAX DEDUCTIONS

A self-employed taxpayer, who is otherwise ineligible for the federal income tax health insurance deduction under federal law, will be allowed to receive a tax credit for the amount of federal taxes paid for health insurance.

The bill authorizes 100% of the amount paid for qualified health insurance premiums to be deducted from a taxpayer's Missouri taxable income to the extent the amount is not already included in the taxpayer's itemized deductions.

DELINQUENT MEDICAL BILLS

Currently, state agencies are allowed to submit an agency debt to the Department of Revenue in order to set off the debt by the person's tax refund. The bill establishes a process for hospitals and other health care providers to intercept a person's tax refund or lottery winnings.

DOWN SYNDROME PRENATAL INFORMATION

A health care provider is required to give certain information to a patient who receives a positive result from a prenatal test for Down Syndrome or other condition, including current information about the tested conditions, accuracy of the tests, resources for obtaining support services, and referrals to support service providers, including the Missouri Alternatives to Abortion Services Program.

DEPENDENT HEALTH INSURANCE COVERAGE

If a health maintenance organization, a group health insurance, or an accident or sickness insurance plan provides coverage for an enrollee's eligible dependent and the coverage ends upon the dependent child reaching a limiting age, the enrollee may elect to continue the coverage until the dependent's twenty-fifth birthday. To be eligible, the enrollee must elect to continue coverage within 31 days of the child reaching the limiting age and the dependent must be unmarried, a state resident, and not be covered under a health benefit plan or government program. "Dependent" is defined, as it relates to the Missouri Health Insurance Pool, as a resident spouse or unmarried child younger than 19 years of age, a child who is a student younger than 25 years of age and who is dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

PRESCRIPTION DRUG COVERAGE

Any health carrier or health benefit plan that provides prescription drug coverage must notify enrollees in writing or electronically of all deletions in its prescription drug formularies at least 30 days prior to the deletion.

DISCOUNT MEDICAL PLAN ORGANIZATIONS

The bill establishes regulations for discount medical plan organizations and specifies that a discount medical plan cannot allow discounts or prices to be sold, rented, or otherwise provided to another carrier, a self-insured or self-funded employer-sponsored plan, or a Taft-Hartley trust.

TOCOLOGISTS

The bill specifies that any person who holds a current certification for a minister of religion or in tocology, the science of childbirth, midwifery, or obstetrics, by an organization accredited by the National Organization for Competency Assurance may provide services related to pregnancy, including prenatal, delivery, and postpartum services.

The provisions regarding the Missouri Health Insurance Portability and Accountability Act, delinquent medical bills, prescription drug coverage,

dependent health insurance coverage, and certain sections regarding the Missouri Health Insurance Pool become effective January 1, 2008.

SS HCS HB 820 — DEATH PENALTY EXECUTION TEAM

This bill requires the Director of the Department of Corrections to select an execution team consisting of medical support personnel and individuals who administer lethal gas or chemicals. Team member identities must be kept confidential, and the departmental record of team members is privileged and not subject to discovery, subpoena, or other means of forced legal disclosure.

Any current or former member of an execution team whose identity is disclosed without the director's direct consent will have a civil cause of action to seek actual or punitive damages.

Any licensing board or department is prohibited from sanctioning or taking other disciplinary action against the professional license belonging to an execution team member due to his or her lawful participation in an execution. All members of the execution team are entitled to coverage under the State Legal Defense Fund for performing their official duties.

HCS HB 948 — GENETIC AND METABOLIC SCREENING PROGRAMS

This bill changes the laws regarding newborn screenings and the Metabolic Formula Distribution Program within the Department of Health and Senior Services.

NEWBORN SCREENINGS

The bill:

(1) Allows the department to release the results of newborn screening tests to the child's healthcare professional;

(2) Requires specimens to be kept for five years after submission to the department and then destroyed unless otherwise directed by the parent or guardian;

(3) Specifies that a specimen released for anonymous study cannot contain information that identifies the donor;

(4) Specifies that the department has authority over the use, retention, and disposal of specimens and the information collected in newborn screening tests; and

(5) Allows the department to charge a fee for the use of newborn screening specimens for public health research.

METABOLIC FORMULA DISTRIBUTION PROGRAM

Currently, eligibility for the Metabolic Formula Distribution Program is determined by an income-based means test established by the department. The bill expands the eligibility to include:

- (1) Individuals from birth to five years of age who have exhausted all benefits from third-party payers, including all government assistance programs;
- (2) Individuals between the ages of six and 18 who have exhausted all benefits from third-party payers, including all government assistance programs, and whose family income is below 300% of the federal poverty level;
- (3) Individuals between the ages of six and 18 who have exhausted all benefits from third-party payers, including all government assistance programs, whose family income is at or above 300% of the federal poverty level and who pay monthly premiums based on a sliding scale; and
- (4) Individuals 19 years of age or older who have exhausted all benefits from third-party payers, including all government assistance programs, and who are eligible under an income-based means test established by the department.

SS SCS HCS HB 952 & 674 — LONG-TERM CARE FACILITIES

This bill allows any intermediate care facility licensed prior to August 28, 2006, that provides the services of an assisted living facility to advertise itself as an assisted living facility without obtaining a license to operate as an assisted living facility from the Department of Health and Senior Services.

All new long-term care facilities; assisted living facilities that accept or retain individuals with a physical, cognitive, or other impairment that prevents the individual from safely evacuating the facility with minimal assistance; and facilities completing a major renovation that are licensed by the department are required to install and maintain an approved sprinkler system in accordance with the standards of the National Fire Protection Association (NFPA) by August 28, 2007. All existing residential care and assisted living facilities with more than 20 residents must install and maintain an approved sprinkler system by December 31, 2012. Long-term care, skilled nursing, and intermediate care facilities must install and maintain an approved sprinkler system by December 31, 2012, unless they receive an exemption from the department or meet the safety requirements of Chapter 33 of NFPA 101.

Facilities that make a substantial effort to install an approved sprinkler system prior to December 31, 2012, may apply to the department for a loan for the

costs to install the system. The Fire Safety Standards Loan Fund is created as the funding mechanism for these loans. All long-term care facilities must be equipped with a complete fire alarm system by December 31, 2008; and each floor accessed by residents must be divided into at least two sections by one-hour rated smoke partitions.

HCS HB 1055 — SEXUAL EDUCATION AND ABORTIONS

This bill changes the laws regarding sexual education instruction in public schools and abortions. In its main provisions, the bill:

- (1) Revises the requirements for the presentation of information in public schools relating to contraception and sexually transmitted diseases by adding the option of presenting students with information on contraceptives and pregnancy in a manner consistent with federal abstinence laws. Currently, students must be presented with the latest medically factual information regarding sexually transmitted diseases and the side effects, health benefits, and success and failure rates for preventing pregnancy;
- (2) Prohibits school districts and charter schools from providing abortion services or allowing a person or entity who provides abortion services from offering, sponsoring, or furnishing course materials related to human sexuality and sexually transmitted diseases;
- (3) Defines “medical emergency” as a condition which, on the basis of a physician’s good-faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to prevent the death of the pregnant woman or for which delay will create a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman;
- (4) Expands the crime of knowingly performing or aiding in the performance of an abortion by adding inducing or aiding in the inducing of an abortion, a class A misdemeanor, unless a different penalty is provided for in state law;
- (5) Provides for an affirmative medical emergency defense for a violation of any abortion provision;
- (6) Establishes the Missouri Alternatives to Abortion Services Program to provide services or counseling to pregnant women and assistance to mothers in caring for their children or placing them up for adoption. Counseling and services are available to a woman during her pregnancy and for one year after the birth of her child. The bill also establishes the Missouri Alternatives to Abortion Public Awareness Program which requires the department or departments administering the program to develop an advertising campaign publicizing alternatives

to abortion and to prioritize federal, public, and private moneys so that they are used first to fund these programs. The department or departments administering the programs may contract with public or private agencies to provide services or counseling. These programs and their funds will not be used to perform, induce, or assist in abortions. Public and private agencies providing alternatives to abortion program counseling services are prohibited from providing an abortion referral; and

(7) Revises the definition of “ambulatory surgical center” in Section 197.200, RSMo, to include any establishment operated for the purpose of performing or inducing any second or third trimester abortion or which performs at least five or more first trimester abortions per month.

SCS HJR 7 -- LANGUAGE OF OFFICIAL PROCEEDINGS

Upon voter approval, this proposed constitutional amendment makes English the language for all official proceedings in Missouri and specifies that the term “official proceeding” is the same as “public meeting” under the Open Meetings Law, commonly known as the Sunshine Law.

TRULY AGREED TO AND FINALLY PASSED
SENATE BILLS

CCS HCS#2 SS SCS SB 3 — VULNERABLE PERSON ABUSE

This bill changes the laws regarding vulnerable person abuse. In its main provisions, the bill:

(1) Creates the crime of vulnerable person abuse and specifies that a person who commits this crime in the first degree will be guilty of a class A felony; in the second degree, a class B felony; and in the third degree, a class A misdemeanor;

(2) Requires the Department of Mental Health to investigate an incident or report of vulnerable person abuse and promptly report the incident to the appropriate law enforcement agency and prosecutor;

(3) Requires anyone who has reason to suspect vulnerable person abuse or neglect to report it to the department;

(4) Specifies that any person who knowingly fails to report abuse or neglect or files a false report will be guilty of a class A misdemeanor and subject to a fine of up to \$1,000 for the first offense. A second or subsequent offense will be a class D felony with a fine of up to \$5,000;

(5) Specifies that any residential facility, day program, or specialized service licensed by the department that prevents or discourages a person from reporting a patient's abuse will be subject to license revocation and fines of up to \$5,000 for each attempt to prevent reporting;

(6) Specifies that any person, official, or institution that makes a report or cooperates with the department is immune from civil or criminal liability unless the individual or institution acted negligently, recklessly, in bad faith, or with malicious purpose;

(7) Requires the department to establish rules to notify the parent or guardian of a patient, resident, or client or the consumer who is his or her own guardian of the possibility of being placed in a facility with a registered sexual offender or an individual who has been found incompetent to stand trial for offenses that would have required the person to register as a sexual offender;

(8) Specifies the information that should be included in a report of vulnerable person abuse or neglect;

(9) Specifies that substantiated reports are open records and will be made available for release, with the identifying information remaining confidential;

(10) Increases the fine for providers who do not correct problems cited by the department in a licensing inspection from \$100 a day to \$10,000 a day;

(11) Requires the Department of Mental Health to notify the Department of Health and Senior Services within 10 days of revoking a medical facility's license

due to the failure to comply with rules and standards. The Department of Health and Senior Services must initiate within 30 days an investigation of the facility to determine if licensure revocation is appropriate; and

(12) Requires the Department of Mental Health to establish a mental health fatality review panel to examine all deaths of adults in the care and custody of the department and to establish rules for physicians and hospitals to identify the suspicious death of a patient in the care and custody of the department.

SCS SB 4 — HEALTH CARE PROVIDER TAX

This bill extends the expiration date for the Missouri Medicaid Program's managed care organization reimbursement allowance in Sections 208.431 - 208.437, RSMo, and the pharmacy tax in Sections 338.500 - 338.550 from June 30, 2007, to June 30, 2009.

The expiration date of the federal reimbursement allowance assessment in Sections 208.453 - 208.480 is extended from September 30, 2007, to September 30, 2009, and the nursing facility reimbursement allowance in Sections 198.401 - 198.436 is extended from September 30, 2007, to September 30, 2011.

The bill contains an emergency clause.

SCS SB 16 — CHILDREN'S VISION EXAMINATIONS

Beginning July 1, 2008, this bill requires public school students enrolling in kindergarten or first grade to receive a vision examination from a state licensed optometrist or physician. The Department of Elementary and Secondary Education in conjunction with the Department of Health and Senior Services will maintain a list of sources to which children who may need vision exams or have been found to be in need of further examination or vision correction may be referred for free or reduced-cost treatment.

Beginning July 1, 2008, and continuing through the 2010-2011 school year, all public schools are required to conduct eye screening exams for each student prior to the completion of the first grade and again before the completion of the third grade. When a student fails an eye screening, the school district must notify the parent or guardian of the results and propose that the student receive a complete eye exam from an optometrist or physician. A student will be excused from the eye screening examination if his or her parent or guardian submits an objection in writing to the appropriate school administrator.

The Children's Vision Commission is established to develop standardized screening tests, reporting forms, appropriate training programs, and guidelines specifying the benefits of ongoing eye care for children

and to conduct a pilot project tracking the results of eye screenings. The commission must submit a report to the General Assembly by December 31, 2011, on the results and findings of the study.

The bill authorizes money from the Blindness Education, Screening and Treatment Program Fund to be used to pay for those additional costs incurred from eye screenings which are not covered by existing public insurance if those costs do not exceed \$99,000 per year.

The provisions regarding the required vision examination will expire June 30, 2012.

CCS HCS SS SCS SB 22 — POLITICAL SUBDIVISIONS

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

(1) Authorizes Johnson County to adopt and enforce airport hazard area zoning regulations that are substantially similar to the current airport zoning and regulation laws;

(2) Requires, as a condition for receiving state funds, that counties formally agree to mandatory mediation for inter-county disputes regarding responsibility for financial expenditures;

(3) Prohibits current or former elected county officials or county commission employees from being appointed to the board of trustees that supervises the county law enforcement restitution fund;

(4) Eliminates the requirement of advertising for county contracts or purchases involving an expenditure of less than \$6,000;

(5) Changes the amount in a member's defined contribution account from \$5,000 or less to \$1,000 or less which members of the County Employees' Retirement System who terminate employment must have to receive an automatic lump sum distribution;

(6) Requires Jackson County to establish a tax maintenance fund that is funded by an additional 1% fee on the collection of delinquent and back taxes to be used for the administrative and operational costs of the collector;

(7) Requires the public administrator to follow the specified procedures for taking charge of moneys or property from a deceased person's estate when delivered to the public administrator by the county coroner;

(8) Increases the amount of an expenditure from \$5,000 to \$25,000 that must be competitively bid by the Jackson County Sports Authority or the county executive of Jackson County;

(9) Allows the county municipal court in Jackson County to hold court in the evenings and outside the county seat of Independence;

(10) Requires county boards that receive funding from the county treasury and whose members are appointed by the county commission to submit a report each fiscal year of their itemized expenditures;

(11) Requires political subdivisions to provide additional information to taxpayers before the public hearing held prior to the setting of tax rates;

(12) Allows the governing body of any municipality or county to authorize members of an organization to stand in a road to solicit charitable contributions under certain specified conditions;

(13) Authorizes Jefferson County to adopt orders with penal provisions consistent with state law in the areas of zoning, on-site sewer treatment, and county building codes, in addition to the currently authorized areas of traffic violations, solid waste management, and animal control;

(14) Authorizes counties and municipalities to allow the pets of patrons of certain public food service establishments within certain designated outdoor areas;

(15) Limits real property owners of record to one signature on a petition to establish a neighborhood improvement district, regardless of how many parcels are owned in the proposed district;

(16) Authorizes the Boone County collector to assess a fee for the collection of certain property assessments;

(17) Authorizes the county governing body to have exclusive control over the expenditures and operation of a regional recreational district when the district is located only in that county on land owned solely by the county. Currently, this will only affect Boone County;

(18) Authorizes Perry County to impose, upon voter approval, a sales tax of up to 0.25% to equally fund senior services and youth programs;

(19) Specifies that in Pulaski County, for the purpose of collecting a transient guest tax, the term "transient guests" means persons who occupy a room in a hotel or motel for 90 days or less during any calendar quarter;

(20) Authorizes the City of Gladstone to impose, upon voter approval, a transient guest tax of up to 5% on hotel and motel rooms to be used for the promotion of tourism;

(21) Requires political subdivisions that collect and expend tax revenues for tourism promotion to perform and pay for an audit at least every five years if no other statutory auditing requirement exists for the political subdivision. The first audit must be completed by January 1, 2009;

(22) Authorizes the City of Sullivan and the portion of the Sullivan C-II School District located in Franklin County to impose, upon voter approval, a transient

guest tax of from 2% to 5% per room per night for the promotion of tourism;

(23) Authorizes the City of Hollister to impose, upon voter approval, a transient guest tax of from 2% to 5% per room per night for the promotion of tourism;

(24) Allows any community improvement district (CID) that is a nonprofit corporation to merge with another CID that is also a nonprofit corporation if the boundaries of the two districts are contiguous and other requirements in the bill are met. The definition of “per capita” is revised as it relates to condominiums to mean one head count applied to the applicable unit owners’ association and not to each unit owner;

(25) Authorizes, statewide, up to five legally authorized representatives of any of the CID property owners to serve on the board if there are fewer than five owners of property in the CID;

(26) Clarifies that a CID election to impose a district sales and use tax is to be conducted under the CID laws and not Chapter 115, RSMo;

(27) Authorizes Pulaski County to impose, upon voter approval, a sales tax of one-eighth of 1% for three years to fund construction of a women’s and children’s shelter;

(28) Allows the governing body of any county or city that has adopted transect-based zoning under Chapter 89 and the counties of Boone, Clay, Franklin, Jackson, or Jasper and their municipalities to form a theater, cultural arts, and entertainment district;

(29) Allows certain political subdivisions to share property tax revenues from property located within 3,000 feet of a common border between the political subdivisions;

(30) Allows employees of a local public health agency located in counties of the third classification and created by a joint municipal agreement to be eligible for participation in the Missouri Local Government Employees’ Retirement System;

(31) Specifies that if the State of Kansas has not enacted the Kansas and Missouri Regional Investment District Compact by August 28, 2007, the district will be established only in the Missouri counties of Buchanan, Cass, Clay, Jackson, Platte, and Ray and will be called the Missouri Regional Investment District;

(32) Adds county assessors to the list of county officials who must receive certified copies of the ordinances effecting a concurrent detachment and annexation of property between municipalities;

(33) Requires county assessors to receive certified copies of all annexation ordinances passed by cities, towns, and villages within the county;

(34) Establishes a new procedure for incorporating a village, as specified in the bill, so that when 15% of the registered voters in an unincorporated village

petition the county governing body for incorporation, the county governing body must put the issue to a public vote;

(35) Specifies that voluntary annexations by third class cities do not require voter approval;

(36) Removes the requirement in all noncharter counties that city managers of third class cities must be city residents;

(37) Allows the board of aldermen of a fourth class city, upon voter approval, to change the term of office for the mayor to two, three, or four years;

(38) Authorizes the governing body of a fourth class city with less than 100 people to diminish the city limits without an election upon application of a person owning five or more acres if the application is accompanied by a petition of a majority of the registered voters of the city, or if no registered voters exist, of parties owning a majority of the land in the area to be excluded;

(39) Specifies that certain conditions of cancer will be presumed to be suffered in the line of duty for the purpose of computing retirement benefits for firefighters under certain conditions;

(40) Authorizes the City of St. Louis to impose, upon voter approval, a sales tax of up to 0.5% for the operation of public safety departments as well as for compensation, pension programs, and health care for public safety employees and pensioners;

(41) Specifies that any transportation sales tax approved on or after August 28, 2007, by the voters in either the City of St. Louis or St. Louis County will not require approval in both jurisdictions to become effective;

(42) Authorizes cities with a population of 7,500 or less instead of the current 1,500 or less in certain counties to transfer 40% of their transient guest taxes into their general revenue fund, 35% for capital improvements, and 25% for tourism marketing and promotional purposes;

(43) Authorizes the City of Joplin to impose, upon voter approval, a retail sales tax of up to 0.5% to be used for nonprofit museums and organizations that develop, promote, or operate historical locations;

(44) Authorizes tax increment financing projects within the flood plain in the City of St. Charles if the redevelopment area actually abuts a river or major waterway and is substantially surrounded by contiguous properties with residential, industrial, or commercial zoning classifications;

(45) Specifies that any plan for an industrial development project in Boone County approved after May 15, 2005, must disburse any reimbursements in excess of the actual costs to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity, not just the entities in current law;

(46) Repeals the provision on the disclosure requirements for a person attempting to influence a local government decision in a city with a population of over 400,000;

(47) Authorizes certain public entities to enter into agreements to modify the payment terms for bonds in certain situations based on changes in interest rates and the purchase price of fuel, electricity, natural gas, and other commodities;

(48) Changes the deadline for county commissions to receive proposals and publicly open bids from banks regarding the selection of the depository of county funds from April 1 to any date on or before the first Monday of July in the year for which a bid is requested;

(49) Allows the City of Gladstone to levy separate and differing tax rates for real and personal property as long as the city bills and collects its own assessment;

(50) Allows public water supply districts to receive payment by credit cards or electronic transfers of funds and charge a fee for the service;

(51) Clarifies that purchases by the Jackson County Sports Authority are tax exempt, exempts trailers used by common carriers from certain local sales taxes regardless of whether they are used in interstate commerce, and exempts purchases after June 30, 2007, for construction, repair, or remodeling by the Department of Transportation or the Highways and Transportation Commission from sales and use taxes;

(52) Changes an election revising the boundary lines between seven-director school districts from the next general municipal election to the next election after receipt of a qualified petition;

(53) Requires the Department of Elementary and Secondary Education to pay a supplemental amount to any school district in a county that established a county municipal court after January 1, 2006, which causes a decrease in the amount the district receives from fines in the current year from the amount the district received in Fiscal Year 2005. Currently, this will only affect certain school districts in St. Charles County;

(54) Reassigns the Monroe City R-I School District which is located in two counties to the county with the higher dollar value modifier as it is used for the school foundation formula;

(55) Authorizes a procedure by which the existing boundaries of a county library subdistrict may be expanded and the existing subdistrict tax rate imposed, upon voter approval, in the expanded area;

(56) Changes the term of office for a person who is appointed to fill a vacancy on an ambulance district board from until the next annual election of board

members to the remainder of the unexpired term of the replaced board member;

(57) Requires members of ambulance district boards and fire protection district boards first elected after January 1, 2008, to complete specified educational training;

(58) Requires the Jasper County emergency services board to provide services to the City of Joplin only after contracting with the municipality to do so, provided that any contract in effect as of January 1, 2006, will continue until a successor contract of at least three years duration is entered into by the board and the city;

(59) Establishes notice and procedural requirements for the formation of a new reorganized common sewer district and the conversion of an existing common sewer district into a reorganized common sewer district;

(60) Authorizes the cities of Centerview and Kingsville to impose, upon voter approval, an annual real property tax, not to exceed 35 cents per year on each \$100 of assessed valuation, to fund the construction, operation, and maintenance of a community health center;

(61) Changes the election procedure for hospital district directors in Iron County by requiring each voter to select only one director from the hospital election district in which the voter resides. Currently, each voter selects six hospital district directors, one from each district;

(62) Specifies that a sheriff or jailer is not required to take custody of a prisoner from an arresting officer until the individual has been examined by medical personnel if he or she appears to be unconscious, suffering from a serious injury, or impaired by drugs or alcohol. The prisoner will be responsible for the cost of the examination;

(63) Specifies that when a legally erected billboard exists on a parcel of property, a local zoning authority cannot adopt or enforce any ordinance, order, rule, regulation, or practice that eliminates the ability of a property owner to build or develop property or erect an on-premise sign solely because a legally erected billboard already exists on the property;

(64) Allows certain charter county residents to petition the county governing body for vacating certain roads;

(65) Specifies that when a public road is at issue in litigation, an exact location of the road is not required to be proven. Once the public road is determined to exist, a judge may order a survey to be conducted to determine the exact location of the public road and charge the costs of the survey to the party who asserted that the public road exists;

(66) Reduces the number of signatures necessary for a petition for voluntary annexation into a street light

maintenance district from two-thirds of the property owners to the number of owners of at least 10% of the property in the area proposed for annexation;

(67) Changes several provisions regarding transportation development districts (TDD) including authorizing a TDD to establish different classes or subclasses of real property within a district for the purpose of levying differing rates of special assessments, depending upon the level of benefit derived by each class or subclass from projects funded by the district;

(68) Allows levee districts to have 10 years instead of the current five years after the lapse of the corporate charter in which to reinstate and extend the time of the corporate existence;

(69) Changes the length of the term of office for directors of public water supply districts elected in 2008, 2009, and 2010 from June to April because of a change in the date of their election;

(70) Authorizes Jasper County to impose, upon voter approval, a landfill fee;

(71) Defines “residence address” for the purposes of Chapter 302 regulating driver’s and commercial driver’s licenses;

(72) Specifies that, upon approval of the board of aldermen, no fire department employee will be required to reside within a fixed area of the department if the only public school district available to the employee is or has been unaccredited or provisionally accredited in the last five years of the employee’s employment. An employee of a fire department who has not resided in the fire department’s fixed and legal boundaries or who has changed the employee’s residency will not be required to reside within the boundaries if the school district subsequently becomes fully accredited. These provisions will be in effect unless the voters of the City of St. Louis vote to supersede this section by September 1, 2008. In addition, any employee who resides outside the city will forfeit 1% of his or her salary for the time the employee is not living in the city to offset any lost revenue for the city;

(73) Reduces the distance from any fuel dispenser that fireworks can be manufactured, stored, or sold from 100 feet to 50 feet;

(74) Specifies that fire protection districts, municipal fire departments, and volunteer fire protection associations will be the sole providers of fire suppression and related activities within their legally defined boundaries unless their governing body authorizes another entity to provide those services and defines “fire department” as it relates to the jurisdiction and duties of the State Fire Marshal. Fire departments must file a registration form within 60 days after January 1, 2008, and annually thereafter. The State Fire Marshal may issue each

fire department an identification number based upon the registration. A volunteer fire protection association is required, instead of allowed, to identify and register its boundaries with its county governing body;

(75) Specifies that fire protection district board members must reside in the district;

(76) Establishes a consolidation process for fire protection districts located wholly in first classification counties upon voter approval of a joint resolution within the fire protection districts;

(77) Removes the expiration date of August 28, 2007, on the provision restricting political subdivisions from providing certain telecommunication services and facilities;

(78) Allows joint municipal utility commissions to enter into joint contracts to form other joint municipal utility commissions and specifies that a joint municipal utility commission’s statutory power to fix, maintain, and revise fees, rates, rents, and charges constitutes the power to tax under the Missouri Constitution;

(79) Requires any nonprofit sewer company or nonprofit water company to provide a copy of the company’s articles of incorporation and bylaws to the Department of Natural Resources to ensure statutory compliance, authorizes a nonprofit sewer company to provide the same services as provided by a nonprofit water company in areas not within the boundaries of a public water supply district or within the certificated area of a water corporation, and prohibits any nonprofit water company or any nonprofit sewer company from being eligible to obtain a construction permit or operating permit unless a waiver from all affected political subdivisions is obtained for a site where a municipal, county, or public water supply district or public sewer district operates a water system or a waste water treatment system or a connection to a water or waste system is required by a municipal or county ordinance;

(80) Prohibits an investment firm, legal firm offering bond counsel services, or any person having interest in these firms from being involved with the issuance of bonds authorized by an election only if the person or firm made direct or indirect financial contributions as specified in the bill to any campaign in support of the bond election;

(81) Removes the provision that requires the City of St. Charles to provide written notice two years in advance of the city’s intent to discontinue sanitary sewer service to homes connected to the service after January 1, 2003;

(82) Repeals the three-day waiting period to receive a marriage license from the recorder of deeds;

(83) Allows Kansas City to establish, by order or ordinance, an administrative system for adjudicating parking and other civil, nonmoving municipal code

violations. Currently, only the City of St. Louis may establish this type of system;

(84) Authorizes the Board of Fund Commissioners, in addition to the amounts authorized prior to August 28, 2007, to issue an additional \$10 million in bonds for water pollution control, improvement of drinking water systems, and storm water control projects; an additional \$10 million in bonds for rural water and sewer grants and loans; and an additional \$20 million in bonds for grants and loans for storm water control in counties of the first classification and St. Louis City;

(85) Revises the continuing education training requirements of 911 telecommunicators from 16 hours in a two-year period to 24 hours every three years;

(86) Requires the cities of Rogersville and Springfield to abide by the terms of the November 15, 2005, settlement agreement relating to the involuntary annexation of certain real property located between the two cities;

(87) Prohibits, beginning January 1, 2008, all trucks with a registered gross weight of more than 24,000 pounds from driving in the far left lane within three miles of the intersection of Interstate 70 and State Highway 370 except in emergency situations or during road construction or repair;

(88) Authorizes the Governor to convey state property in Jackson County to the City of Kansas City;

(89) Requires retailers in transportation development districts in which a sales tax has been imposed or increased under certain provisions to prominently display at the cash register area the rate of the sales tax; and

(90) Allows fire protection districts in Douglas County to impose, upon voter approval, a sales tax of up to 1% for operation costs, with the property tax levy reduced annually by 50% of the previous year's sales tax revenue.

CCS HCS SB 25 — SERVICES FOR CHILDREN AND MINORS

This bill changes the laws regarding services for children and minors administered by the Department of Social Services.

CHILD ABUSE INVESTIGATIONS

The Children's Division within the department is prohibited from closing a child abuse or neglect investigation if the child who is the subject of the investigation dies during the investigation until any separate investigation by the division regarding the death is completed.

RIGHTS OF FOSTER PARENTS

The division and its contractors are required to:

(1) Treat foster parents in accordance with the ethical standards established in the Social Workers' Ethical Responsibilities to Colleagues, within the National Association of Social Workers' code of ethics, so that foster parents are recognized as part of a child welfare team and not as clients;

(2) Provide foster parents written notification of their rights when initially licensed or at the time of renewal;

(3) Schedule regular opportunities for foster parent training as determined by the Missouri State Foster Care and Youth Advisory Board;

(4) Give foster parents and potential adoptive parents all pertinent information, including medical and mental health records, placements, behaviors, family history, and reports of abuse regarding a child to protect the foster or adoptive family;

(5) Inform foster parents in a timely manner of all team meetings regarding licensure status or children placed in their home;

(6) Establish procedures that foster parents must follow for requesting and using respite care;

(7) Allow foster parents to share otherwise confidential information with practitioners and school personnel that is necessary to make safe and appropriate decisions regarding the care for the physical health and educational needs of the child;

(8) Schedule visits at a time that is convenient for all parties involved;

(9) Provide foster parents with training that addresses:

(a) Cultural competence issues such as physical appearance, religious and cultural practices, and community resources that can provide additional training; and

(b) Policies and procedures for licensing, foster care regulations, and the adoption process;

(10) Give foster parents first consideration when placing a child who is not placed with a relative;

(11) Allow fair and impartial time for foster parents to address licensure, case management decisions, and delivery of service issues; and

(12) Provide written documentation of the division's policies to foster parents upon their request.

Foster parents will be required to:

(1) Follow the discipline policies of the division;

(2) Give two weeks' notice when requesting the removal of a child;

(3) Notify the caseworker within 60 days after being informed of an adoption inquiry if they would like to adopt a foster child; and

(4) Be given at least two weeks' notice by the courts before any court hearing regarding a child in their care.

CHILD SUPPORT

The department director is required to notify a parent of his or her child support responsibility if there is a current court order. Future child support payments will be computed following the rules established by the Missouri Supreme Court. Only a court of competent jurisdiction may approve a change to a child support order judgment by an administrative agency.

Currently, the Child Support Division may certify a person who owes more than \$5,000 in child support to the federal agency for the denial, suspension, or limitation of a passport. The bill lowers that amount to \$2,500. The division is allowed to open a case based on another state's request for assistance and to collect past due support when a caretaker relative was on assistance or the child was in state custody. The Missouri Gaming Commission is authorized to intercept certain gambling winnings of individuals who owe past due support or state debt.

A parent will be allowed to stop paying child support when his or her child reaches 21 years of age or is at least 18 years of age and receives failing grades in at least half of his or her course load in any one semester when enrolled in at least 12 credit hours of higher education.

CCS HCS SB 30 — TAXATION

This bill changes the laws regarding taxation. In its main provisions, the bill:

(1) Establishes the Children's Services Protection Act which requires any city or county that has levied a sales tax for providing services to children in need to reimburse the community children's services fund the amount of tax revenue that is used for or diverted to any tax increment financing project approved or adopted after August 28, 2007;

(2) Authorizes Perry County to levy, upon voter approval, a sales tax of up to .25% to equally fund senior services and youth programs;

(3) Authorizes any second, third, or fourth classification county to impose, upon voter approval, a transient guest tax of one cent on all hotel or motel sleeping rooms within the county for the promotion of tourism within the county;

(4) Authorizes the City of Hollister to impose, upon voter approval, a transient guest tax of from 2% to 5% per room per night for the promotion of tourism;

(5) Adds county assessors to the list of county officials who must receive certified copies of the ordinances effecting a concurrent detachment and annexation of property between municipalities;

(6) Authorizes the City of Independence to impose, upon voter approval, a sales tax of up to 1% of gross retail receipts to be used for funding police services provided by the municipal police department;

(7) Increases, beginning January 1, 2008, from \$25,000 to \$27,500 the maximum income allowed to claim the senior citizen/disabled person property tax credit and increases from \$13,000 to \$14,300 the minimum base;

(8) Authorizes a refundable individual income tax credit, beginning January 1, 2008, for the amount of real property taxes paid on a homestead by surviving spouses of certain public safety officers who were killed in the line of duty;

(9) Requires, beginning January 1, 2008, operators of storage facilities to provide documentation including the owner's name, address, county of residence, and a description of the personal property to the county assessor where the rental or leasing facility is located for property tax purposes. The bill defines "personal property" as any house trailer, manufactured home, boat, vessel, floating home or structure, airplane, or aircraft;

(10) Authorizes an exemption from the motor fuel tax for motor fuel sold for use by an interstate transportation authority, a city transit authority, or a city utilities board to operate a public mass transportation facility;

(11) Removes the solely in interstate commerce requirement for the state and local sales and use tax exemption for motor vehicles used by common carriers;

(12) Exempts from state and local sales and use tax the utilities used in the research and development of prescription pharmaceuticals consumed by humans or animals;

(13) Exempts from state and local sales and use tax tangible personal property and utilities used in the research and development of agricultural/biotechnology and plant genomics products;

(14) Authorizes an exemption from state sales and use tax for the cost of all utilities, chemicals, machinery, equipment, and materials used in the manufacturing, processing, compounding, mining, or production of a product; the processing of recovered materials; and the research and development of manufacturing, processing, compounding, mining, or producing a product;

(15) Authorizes an exemption from state and local sales and use tax on all purchases of tangible personal property, utilities, services, and other transactions made for fulfilling United States government defense contracts and all utilities, machinery, and equipment used directly in television or radio broadcasting;

(16) Authorizes an exemption from state and local sales and use tax for all purchases and

leases of tangible personal property by any county, city, incorporated town, or village for industrial development under Chapter 100, RSMo, when the transaction is certified for the exemption by the Department of Economic Development;

(17) Authorizes an exemption from state and local sales and use tax for tangible personal property used for railroad infrastructure brought into Missouri for modification and then used outside the state;

(18) Requires a retail sales licensee to obtain, beginning January 1, 2009, a statement from the Department of Revenue verifying that no sales tax is owed before the issuance or renewal of any city or county occupation license or any state license;

(19) Authorizes an exemption from state and local sales tax, beginning September 1, 2007, for the cost of temporarily using coin-operated amusement devices and removes the exemption for the purchase of the devices and parts. Coin-operated amusement devices include video, pinball, table, and redemption games;

(20) Reassigns the Monroe City R-I School District which is located in two counties to the county with the higher dollar value modifier as it is used for the school foundation formula;

(21) Authorizes the cities of Centerview and Kingsville to levy, upon voter approval, a tax of up to 35 cents on each \$100 of assessed valuation on taxable real property to fund the establishment of a community health district;

(22) Revises the definition of “community-based organization” to include any nonprofit corporation formed under Chapter 355 which the Department of Economic Development can approve to implement the Family Development Account Program;

(23) Requires the transit authority in St. Charles County to reimburse the county for the cost of an election to increase the transit authority’s sales tax rate if the measure is approved by voters from the funds derived from the tax increase;

(24) Transfers from the Department of Economic Development to the Department of Public Safety the duty of certifying when a dry fire hydrant system meets the requirements to obtain an income tax credit and extends the expiration date of the credit from August 28, 2003, to August 28, 2010; and

(25) Allows a common carrier of household goods to file an application with the Highways and Transportation Commission for the approval of rates to reflect increases and decreases in its operational costs. The application process will be governed by the commission and will follow rules similar to the rate hearing procedures for utility companies. Beginning January 1, 2008, an intrastate carrier of household goods will be required to obtain Department of

Transportation authority to operate in municipalities, between municipalities, and in commercial zones.

The provisions regarding the tax credit for taxes paid on a homestead by a surviving spouse will expire six years from the effective date.

SCS SB 46 — FAITH-BASED ORGANIZATION LIAISON ACT

This bill establishes the Faith-based Organization Liaison Act which requires the Director of the Department of Social Services to designate existing regional department employees to serve as liaisons to faith-based organizations in their respective regions to promote and facilitate faith-based organizations as a means of providing private community services for individuals in need of financial or other assistance. No liaison may discriminate against any faith-based organization in carrying out the provisions of the bill.

HCS SCS SB 47 — FIRE PROTECTION AND VOLUNTEER EMERGENCY RESPONSE PERSONNEL

This bill establishes the Volunteer Firefighter Job Protection Act which prohibits public and private employers from terminating an employee for becoming a volunteer firefighter or a member of the Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team or for being absent from or late to work due to his or her volunteer emergency service. If an employee is absent from or late to work due to his or her service as a volunteer firefighter or as a member of an emergency response team, the employee may lose pay and may be required to provide a written verification from his or her supervisor as to the time and date of the emergency. The volunteer firefighter or emergency response member must make a reasonable effort to notify his or her employer that he or she may be absent from or late to work due to an emergency. A volunteer firefighter or emergency response member who is terminated in violation of this provision may bring a civil action within one year against his or her employer seeking reinstatement of his or her position, benefits, seniority, and back wages. If the employee prevails, he or she is entitled to receive reasonable attorney fees and other costs associated with the civil action.

Currently, all fire protection districts, fire departments, and volunteer fire protection associations must file the name and address of the district, department, or association with the State Fire Marshal within the Department of Public Safety by October 13 of each year. Beginning January 1, 2008, the bill changes the deadline to March 1. The State Fire Marshal

may conduct periodic reviews of the information on the registration forms and may deny or revoke a fire department's identification number based upon the information provided.

Fire protection districts, municipal fire departments, and volunteer fire protection associations must be the sole providers of fire suppression and related activities. Only with the approval of the governing body of any district, department, or association will any other association, organization, group, or political subdivision be authorized to provide fire suppression response and related activities. However, any ambulance service or district may provide emergency medical services and nonemergency medical transport within the geographic boundaries of a fire department.

The bill also specifies that the inspection required upon the sale or transfer of an ambulance service ownership must be limited to the verification of its compliance with standards for the renewal of an existing license.

HCS SCS SB 54 — RENEWABLE ENERGY AND ENVIRONMENTAL REGULATIONS

This bill changes the laws regarding renewable energy and environmental regulations. In its main provisions, the bill:

(1) Establishes the Green Power Initiative which requires electric companies to make a good faith effort to ensure that 4% of total retail electric sales come from renewable energy technologies by 2012, 8% by 2015, and 11% by 2020. Renewable energy technologies include wind, water, solar power, animal wastes, and other technologies approved by the Department of Natural Resources. The Missouri Public Service Commission is required by July 1, 2008, to develop standards for good faith compliance by considering a variety of factors such as compliance costs and technological feasibility. Current renewable energy produced from sources in operation prior to August 28, 2007, will be allowed to count toward the initiative targets. Reporting requirements are established for electric companies until 2022, and the commission is required to report to the General Assembly every two years. The Director of the Department of Economic Development will report every two years on the economic impact of the bill, and the Director of the Department of Natural Resources will report on the environmental impact every two years;

(2) Requires the Missouri Air Conservation Commission to establish air pollutant emission fees for a three-year period unless it is necessary to make an annual adjustment by rule;

(3) Renames the Missouri Ethanol and Other Renewable Fuel Sources Commission as the

Missouri Alternative Fuels Commission, increases its membership from seven to nine, and allows the Governor to appoint five members instead of three. The commission's responsibilities are expanded to include different renewable energy sources, and new duties are specified in the bill;

(4) Requires the Commissioner of the Office of Administration to ensure that 70% of all new state vehicles are flexible fuel vehicles that can use E-85 fuel;

(5) Allows, beginning August 28, 2007, yard waste to be disposed of in landfills that are approved as bioreactors by the Department of Natural Resources and use the landfill gas produced for the generation of electricity;

(6) Establishes the Net Metering and Easy Connection Act to replace the Consumer Clean Energy Act which is repealed. All utilities regulated by the Missouri Public Service Commission will be required to provide net metering services to their customers. The utilities will pay for the meters and grant credits for the production of renewable energy from customer generators. Rules governing the allocation of credits and purchase of equipment, other net metering practices, required reports, and legal liability are specified in the bill;

(7) Increases, beginning August 28, 2007, the maximum surface mining permit fees required under Section 444.772, RSMo, to \$800 for a permit fee, \$400 for a site fee, and \$10 per acre with a maximum of \$3,000 for a per-acre fee. The Land Reclamation Commission may increase the fees up to \$1,000 for a permit fee, \$400 for a site fee, and \$20 for a per-acre fee;

(8) Requires individuals engaged in surface mining to pay a geologic resources fee in addition to the surface mining permit fee which will be deposited into the Geologic Resources Fund. A person who mines less than 5,000 tons of gravel annually will not have to pay the fee. Beginning August 28, 2007, geological resource fees will be \$50 for a permit fee, \$50 for a site fee, and \$6 for a per-acre fee. Fees for each permit per site may not exceed \$100, and the department may assess a geological resources fee for each acre up to \$10. The fees expire December 31, 2020. Upon appropriation, moneys in the fund will be used to assist the mineral industry. An Industrial Minerals Advisory Council is established, with its membership requirements and powers specified;

(9) Changes the penalty for the criminal disposition of more than 2,000 pounds of demolition waste from a class A misdemeanor to a class D felony. Knowingly disposing of demolition waste on property that one owns will be a class C misdemeanor unless payment is received for allowing the disposal; in which case, the penalty will be a class D felony. Waste disposal for normal farming and manufacturing operations

is allowed if it does not create a health threat or nuisance. The penalty for the disposal of more than 500 pounds of residential or commercial waste is increased from a class A misdemeanor to a class D felony. The maximum civil penalty is increased from \$1,000 to \$5,000 per day for a violation by a solid waste processing facility and from \$100 to \$500 per day for the violation of an environmental regulation governing waste disposal;

(10) Establishes the Missouri Environmental Covenants Act which allows for the removal of a site from the registry of hazardous waste sites maintained by the department if it poses no current threat of contamination and an environmental covenant is entered into between the department and the holder who owns and controls the site. Holders may be individuals, businesses, political subdivisions, and other types of legal entities. An environmental covenant may contain numerous requirements including the department's inspection and regulation of the site and the permissible uses of the site. Procedures for the creation, filing, implementation, and termination of an environmental covenant are specified in the bill. Environmental covenants do not supersede prior interests in the land, but will apply prospectively to many actions involving the site. Certain storage tanks are exempt from the provisions of the bill. The department must maintain a database of all environmental covenants; and

(11) Extends the period of time by five years during which annual adjustments cannot be made to the per-ton fee required to be remitted to the Department of Natural Resources by operators of solid waste sanitary landfills and transfer stations except when needed to fund the operating costs of the department. The bill also extends for the same time period the requirement that any annual adjustment made to the fee will not exceed the percentage increase of the federal Consumer Price Index for all urban consumers.

The bill becomes effective January 1, 2008.

CCS HCS SCS SB 62 & 41 — DEFENSIVE USE OF FORCE AND FIREARMS

This bill changes the laws regarding the defensive use of force, concealable firearms and firearms training, unlawful use of a weapon, and background checks for firearm sales.

DEFENSIVE USE OF FORCE

The bill allows the justifiable use of deadly force in several new circumstances against a person who poses what a reasonable person would believe to be the imminent threat of harm. The duty to retreat is abolished for those persons using deadly force to prevent someone from unlawfully entering or

remaining in a residence, a dwelling designed for lodging persons, or a vehicle. Anyone who takes actions that create a reasonable fear of the imminent use of unlawful force to another person and who unlawfully enters or remains in vehicles, residences, or buildings used for lodging may be subject to the legitimate use of deadly force.

The use of deadly force will be allowed by persons, in any location, in order to protect themselves against what a reasonable person would believe to be the imminent threat of any type of forcible felony. Currently, the use of deadly force is allowed in circumstances where a reasonable person believes it is necessary to prevent death, serious bodily injury, and other specified felonies.

Anyone who uses force in a lawful manner will be immune from both civil and criminal penalties. If anyone sues a person who is ultimately found to have acted lawfully in using defensive force, the plaintiff must pay court costs, attorney fees, and any expenses incurred by the defendant as a result of the lawsuit.

CONCEALABLE FIREARMS AND FIREARMS TRAINING

The bill:

(1) Makes state restrictions on the transfer of concealable firearms identical to the federal restrictions;

(2) Repeals the permit requirement for the purchase of a concealable firearm;

(3) Allows police or sheriffs' departments to sell or trade certain confiscated firearms to licensed firearms dealers; and

(4) Changes the laws regarding the firearms safety training requirement for obtaining a permit to carry a concealed weapon. The requirement that an applicant must demonstrate knowledge of firearms safety will be fully satisfied if the applicant submits proof that he or she:

(a) Holds any type of valid peace officer license issued under the requirements of Chapter 590, RSMo;

(b) Is allowed to carry firearms in accordance with the certification requirements of Section 217.710 for probation and parole officers or members of the Board of Probation and Parole; or

(c) Is certified as any class of corrections officer by the Department of Corrections and has passed a department-approved, eight-hour firearms training course.

UNLAWFUL USE OF A WEAPON

All qualified retired peace officers, as well as federal flight deck officers, are exempt from the crime of unlawful use of weapons. For purposes of the bill, a qualified retired peace officer is any individual who

retired in good standing from service with a public agency as a peace officer. Before retirement, the individual must have been regularly employed for 15 years; been authorized by law to engage in or supervise the prevention, detection, investigation, prosecution of, or the incarceration of any person for any violation of law; and had statutory powers of arrest. The bill requires the retired peace officer to have met, within the last year, the standards for training and qualification for active peace officers to carry firearms. Photographic identification, issued by the agency from which the peace officer retired, must be carried by the individual to qualify for the exemption.

BACKGROUND CHECKS FOR FIREARM SALES

Any record or file maintained by the court for any Chapter 632 psychiatric services proceeding must be made available to the State Highway Patrol for reporting to the National Instant Criminal Background Check System to be used for background checks on any firearm sale.

CCS#3 HCS SCS SB 64 — ELEMENTARY AND SECONDARY EDUCATION

This bill changes the laws regarding elementary and secondary education. In its main provisions, the bill:

- (1) Establishes a procedure for school districts to set an opening date of school earlier than 10 days before Labor Day by holding a public hearing;
- (2) Revises the school calendar requirements for make-up days by requiring six additional days to be scheduled for inclement weather purposes and requires school districts to make up half of the days missed in excess of six;
- (3) Requires mentoring standards to be established for beginning teachers and principals by June 30, 2008, and establishes benchmarks for quality programs; and
- (4) Allows students in districts that have been provisionally accredited or unaccredited, or any combination of less than fully accredited, for two consecutive years to enroll in the state's virtual school beginning in school year 2008-2009. The bill contains provisions regarding funding and computer equipment.

SCS SB 66 — INSURANCE

This bill changes the laws regarding insurance company investments; the Missouri Title Insurance Act; the Department of Insurance, Financial Institutions, and Professional Registration; life insurance; discount medical plans; and insurance company examinations.

INSURANCE COMPANY INVESTMENTS

The bill:

(1) Exempts insurers organized under Chapter 376, RSMo, from several requirements in Chapter 375 including the following:

(a) Insurance companies cannot deal or trade in goods, wares, merchandise, commodities, or certain real estate purchases, sales, or trades;

(b) Domestic insurers must invest in stocks or shares having at least the second highest designation or quality rating conferred by the Securities Valuation Office of the National Association of Insurance Commissioners;

(c) Insurance companies are permitted to invest in foreign governments or corporations if the investments are allowed in United States companies; and

(d) Insurance companies must follow the provisions of Sections 375.1070-375.1075 regarding investments in medium and lower quality obligations;

(2) Allows insurers organized under Chapter 376 to engage in derivative transactions through an investment subsidiary;

(3) Establishes provisions which apply to investments and investment practices of domestic insurers organized under Chapter 376. Terms relative to these provisions are defined;

(4) Requires an insurer's board of directors to adopt a plan for acquiring investments and for engaging in investment practices appropriate for the business conducted by the insurer, its liquidity needs, and its capital and surplus needs. Prohibited investments are also specified;

(5) Prohibits insurers, without the prior approval of the Director of the Department of Insurance, Financial Institutions, and Professional Registration from:

(a) Making a loan to or investing in an officer of the insurer or a person in which the officer has any financial interest;

(b) Making a guarantee for the benefit of or in favor of an officer of the insurer or a person in which the officer has any financial interest; and

(c) Entering into an agreement for the purchase or sale of property from or to an officer of the insurer or a person in which the officer has any financial interest;

(6) Allows an insurer, without the prior approval of the department director, to:

(a) Make policy loans in accordance with the terms of the contract;

(b) Advance reasonable expenses expected in the course of business to the directors or officers;

(c) Make loans secured by the principal residence of an existing officer in connection with the officer's relocation at the insurer's request; and

(d) Make loans or advances to officers or directors which comply with state and federal laws pertaining to loans made to a regulated noninsurance subsidiary or affiliate of the insurer in the normal course of business;

(7) Requires investments to be valued based on published accounting and valuation standards of the National Association of Insurance Commissioners;

(8) Prohibits an insurer from investing more than 3% of its admitted assets in investments issued by a single person or 5% in investments in the voting securities of an institution. This limitation will not apply to amounts insured by a single financial guaranty insurer having the highest generic rating issued by a nationally recognized statistical rating organization or to asset-backed securities. Requirements are established for medium-grade, low-grade, and Canadian investments;

(9) Allows an insurer, subject to certain limitations, to acquire rated credit instruments assumed, guaranteed, or issued by the United States, Canada, government-sponsored enterprises of the United States or Canada, a government or class one money market mutual fund, a class one bond mutual fund, or general obligation instruments of the state;

(10) Allows an insurer to invest in tangible personal property if the resulting ownership of the property returns to the insurer the cost of the investment plus a return deemed adequate by the insurer. Investments in tangible property cannot exceed 2% of admitted assets or .5% on any single item;

(11) Allows insurers to acquire obligations secured by mortgages on real estate situated within a domestic jurisdiction. A mortgage loan secured by other than a first lien cannot be acquired unless the insurer is the holder of the first lien and it meets certain requirements. The real estate must be income producing or intended for improvement or development to produce income;

(12) Allows insurers to enter into securities lending, repurchase, reverse repurchase, and dollar roll transactions subject to the board of directors adopting a written plan detailing how cash received will be invested or used, operational procedures used to manage investment risks, and the extent an insurer may engage in these transactions; and

(13) Establishes conditions and requirements for insurers to invest in foreign markets.

MISSOURI TITLE INSURANCE ACT

The bill:

(1) Requires a title insurer or title insurance agent issuing a lender's title insurance policy, when no owner's policy has been requested, to give written notice to a purchaser/mortgagor that the lender's policy does not protect the purchaser;

(2) Requires a written contract specifying the responsibilities between a title insurer and a title insurance agent and the title insurer's supervisory responsibilities regarding title insurance agents;

(3) Allows a title insurer or title insurance agent to operate as an escrow, security, settlement, or closing agent if certain requirements are met;

(4) Requires a title insurer to conduct on-site reviews at least annually on the practices and procedures of title insurance agencies or agents with which he or she contracts. Reports will be maintained for at least four years and made available to the department director upon request;

(5) Requires settlement agents to record all deeds and security instruments within five business days after completion;

(6) Allows the department director, if it is determined that a person has engaged or may engage in a violation of title insurance laws, to issue administrative orders as authorized under Section 374.046 to suspend or revoke the license of a producer or the certificate of authority of any title insurer for the violation, and to bring action in court to enjoin violations of the Real Estate Settlement Procedures Act;

(7) Prohibits an insurer that transacts any other class, type, or kind of business from obtaining a title insurance license, except that a title insurer can issue closing or settlement protection;

(8) Requires a title insurer to maintain at least \$800,000 of paid-in capital and a surplus of at least \$800,000;

(9) Prohibits the net retained liability of a title insurer for a single risk from exceeding 50% of the surplus of all risks insured;

(10) Requires that the general investment provisions of Sections 379.080 - 379.082 will apply when determining the financial condition of a title insurer except that an investment in a title plant equal to the cost will be allowed as long as the aggregate amount of all investments does not exceed 20% of the surplus to policyholders;

(11) Prohibits the use of specified title insurance forms unless they have been approved by the department director;

(12) Requires all title insurance agents to be licensed and specifies their responsibilities, obligations for licensure, and continuing education requirements;

(13) Allows the department director to inspect the records of title agencies, insurance agencies, and agents; and

(14) Requires titled insurers, agencies, or agents to disclose and provide required information on any affiliated businesses involved in the transaction prior to commencing the transaction.

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS, AND PROFESSIONAL REGISTRATION

The bill:

(1) Synchronizes the penalties, administrative orders, civil actions, and other remedies available to the department director;

(2) Allows the department director, upon determining that a person has violated or attempted to violate provisions of the insurance laws, to:

(a) Issue an order directing the person to cease and desist from engaging in the act, practice, omission, or course of business; or

(b) Issue a curative order or an order directing the person to take other action necessary to comply with insurance laws;

(c) Order a civil penalty or forfeiture; or

(d) Award reasonable costs of the investigation;

(3) Allows the department director to suspend or revoke a corporation's or insurer's certificate of authority for violating insurance laws or for a felony or misdemeanor conviction. The department director must provide 30 days' notice and a hearing, if requested, before revocation;

(4) Removes the department director's authority to suspend a prepaid dental corporation's certificate of authority if it issues a contract without prior approval;

(5) Allows any applicant who is refused a license to sell insurance to file a petition with the Administrative Hearing Commission. The department director will make the final decision to refuse or renew a license;

(6) Authorizes the department director to consult and share information with other members of the National Association of Insurance Commissioners, the Commissioner of Securities within the Office of the Secretary of State, state securities regulators, the Division of Finance and the Division of Credit Unions within the department, the Attorney General, federal banking and securities regulators, the National Association of Securities Dealers, the United States Department of Justice, the Commodity Futures Trading Commission, and the Federal Trade Commission to effectuate greater uniformity in insurance and financial services regulation among state and federal governments and self-regulatory organizations. The cooperation, coordination, consultation, and sharing of records and information authorized by the bill include:

(a) Establishing or employing one or more designees as a central electronic depository for licensing and rate and form filings with the department director and for records required or allowed to be maintained;

(b) Encouraging insurance companies and producers to implement electronic filing through a central electronic depository;

(c) Developing and maintaining uniform forms;

(d) Performing joint market conduct examinations and other investigations through collaboration and cooperation with other insurance regulators;

(e) Holding joint administrative hearings;

(f) Instituting and prosecuting joint civil or administrative enforcement proceedings; and

(g) Sharing and exchanging personnel;

(7) Changes the laws regarding falsely testifying in insurance investigations and prohibits an individual from knowingly making a false statement under oath or affirmation in any record submitted to the department director. Knowingly making false statements or making false entries on a document will be a class D felony;

(8) Allows the department director to seek an order to enforce compliance if a person refuses to testify, file statements, or produce records. Persons are not excused from testifying or producing records based on the grounds that the testimony or records may tend to incriminate them. In this case, the department director may seek a court order to compel the testimony or production of records, and the testimony or records may not be used as evidence in a criminal case; and

(9) Allows the department director to adopt rules to specify uniform disclosure of material information on insurance policy forms.

LIFE INSURANCE

The bill requires insurance producers, beginning January 1, 2008, to complete 16 hours of continuing education every two years, instead of the current 10 hours. Any life insurance policy may exclude life insurance liability for a death as the result of a suicide within one year after the issuance of the policy but must refund all the premiums paid.

DISCOUNT MEDICAL PLANS

The bill:

(1) Defines "discount medical plan" as a business arrangement in which a discount medical plan organization (DMPO), in exchange for compensation, provides access for plan members to medical service providers at a discount;

(2) Requires a DMPO to register with the department director and pay an application fee of \$250. The organization must be a legal entity organized under the laws of this state or authorized to transact business in this state;

(3) Allows the department director to examine the business affairs of a DMPO;

(4) Allows a DMPO to charge reasonable fees as long as the fees are disclosed to the applicant. A member has a 30-day, free-look period on a membership;

(5) Prohibits a DMPO from disseminating information that could mislead a person to think that the plan is for health insurance;

(6) Prohibits the restriction of access to providers including waiting and notification periods. A DMPO cannot collect or pay fees for medical services unless it is licensed by the department director to act as an administrator;

(7) Requires a DMPO to maintain a net worth of at least \$150,000;

(8) Requires notification to the department director at least 30 days prior to changing the organization's name or address; and

(9) Allows the department director to deny or revoke the registration of an applicant for material misstatements, misrepresentation, or fraud. The applicant can request an appeal hearing. The department director is authorized to issue administrative orders and maintain civil actions against a DMPO that is in violation of these provisions.

INSURANCE COMPANY EXAMINATIONS

The fee schedules are revised for health services corporations, health maintenance organizations, and insurance companies and for certain document filing fees paid by these organizations. Assessments made against insurance companies for examination purposes will include:

(1) The cost of compensation, including benefits, for the examiners, analysts, actuaries, and attorneys contributing to the examination of the company;

(2) Reasonable travel, lodging, and meal expenses for an on-site examination; and

(3) Other expenses of the examination.

The department director must pay these expenses from the Insurance Examiners Fund, and the Insurance Dedicated Fund may be used for the regulation of the business of insurance and the operation of the Division of Consumer Affairs.

All domestic insurance companies subject to orders of conservation, rehabilitation, or liquidation must reimburse the Insurance Dedicated Fund for administrative services rendered by state employees to the company.

The provisions regarding the Insurance Examiner's Sick Leave Fund are repealed.

The provisions regarding the Missouri Title Insurance Act become effective January 1, 2008.

CCS HCS SB 81 — PROMOTION OF LOCAL TOURISM AND ECONOMIC DEVELOPMENT

This bill authorizes the cities of Augusta, Carrollton, Chillicothe, Gladstone, Hollister, Liberty, Miami, Missouri City, and Pleasant Hill to impose, upon voter approval, a transient guest tax of up to 5% per room

per night to be used for the promotion of tourism. The City of Sullivan and the part of the Sullivan C-II School District located in Franklin County are also authorized to impose, upon voter approval, a transient guest tax of from 2% to 5% per room per night for the promotion of tourism.

The governing body of any county or city that has adopted transect-based zoning under Chapter 89, RSMo, and the counties of Boone, Clay, Franklin, Jackson, or Jasper and their municipalities are authorized to form a theater, cultural arts, and entertainment district. Currently, only St. Charles County and its municipalities are allowed to form a district.

The City of Independence is authorized to impose, upon voter approval, a sales tax of up to 1% of gross retail receipts to be used for funding police services provided by the municipal police department.

CCS HCS SCS SB 82 — MOTOR VEHICLES

This bill changes the laws regarding motor vehicles.

TEMPORARY PERMITS

The bill removes references to the terms "plate" and "paper plate" from the temporary permit provision. The provision which requires the issuance of temporary permits to nonresidents is repealed.

IN TRANSIT PLACARDS

The provision which requires dealers to use an "In Transit" placard when moving a motor vehicle from one dealer to another or from the manufacturer is repealed.

OUT-OF-STATE CERTIFICATES OF OWNERSHIP

The absence of a prior designation on an out-of-state title that the vehicle is a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle will not relieve the transferor from exercising due diligence regarding the title prior to its transfer. If the transferor does this, he or she will not be liable even if the title was not properly designated.

SALES BY DEALERS

Dealers are required to have a certificate of ownership or proof that the dealer has applied for a certificate of ownership or that a prior lien has been satisfied by the dealer for every motor vehicle in the dealer's possession.

MOTOR VEHICLE DEALERS

Any motor vehicle dealer licensed before August 28, 2007, is required to sell six or more motor vehicles annually to continue to be eligible for licensure as a motor vehicle dealer if the dealer can prove that the business sold six or more vehicles per year in

the preceding 24 months. If the dealer has been in business for less than 24 months, the sales must equal one for every two months that the dealer has been in business before August 28, 2007. Any licensed motor vehicle dealer failing to meet the minimum sales requirements will not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period must meet the six sales per year requirement.

The bill makes it unlawful for a person to sell six or more, instead of the current seven or more, motor vehicles in a calendar year unless the person is licensed or meets other specified exceptions. The sale of six or more vehicles within a calendar year by a person without a license is considered as acting as a motor vehicle dealer without a license.

BONA FIDE ESTABLISHED PLACES OF BUSINESS

Motor vehicle dealer applications are required to include an annual certification that the applicant has a bona fide established place of business for the first three years and only every other year thereafter. A bona fide established place of business for any motor vehicle dealer, used motor vehicle dealer, powersport dealer, boat dealer, wholesale motor vehicle dealer, trailer dealer, or wholesale or public auction, in addition to other current legal requirements, must be a permanent enclosed commercial building, which sells, barter, trades, services, or exchanges motor vehicles, boats, personal watercraft, or trailers. The photograph that accompanies a dealer application must not be any smaller than five by seven inches. Any dealer selling only emergency vehicles is exempt from having to maintain a bona fide place of business and the requirements for law enforcement certification and minimum yearly sales.

PROOF OF INSURANCE

Every applicant for a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, a trailer dealer, or a boat dealer must furnish a copy of a current dealer garage policy with the policy number and name of the insurer and the insured at the time of application.

ISSUANCE OF DEALER NUMBER PLATES

The Department of Revenue must issue to any new motor vehicle manufacturer and other dealers one distinctive dealer plate and may issue two additional number plates. The fee for the two additional number plates is \$21. The number of additional plates a new motor vehicle manufacturer may hold will be limited to no more than 347. New and used dealers are limited to one additional plate or certificate of number per 10-unit qualified transactions annually. New and

used recreational vehicle dealers are limited to two additional plates or certificates of number per 10-unit qualified transactions annually for the first 50 transactions and one additional plate or certificate of number per 10-unit qualified transactions thereafter. Wholesale and public auctions will be issued a certificate of dealer registration in lieu of a dealer number plate. In order for a dealer to obtain number plates or certificates, a dealer must submit to the Department of Revenue a statement certifying, under penalty of perjury, the dealer's number of sales during the period of July 1 to June 30.

USED MOTOR VEHICLE DEALER EDUCATIONAL SEMINARS

Public auto auctions and applicants currently holding a new or used dealer's license for a separate dealership will not be required to show proof of completing an educational seminar when applying for a used motor vehicle dealer's license. Current new motor vehicle franchise dealers and motor vehicle leasing agencies will not be subject to the educational seminar requirements.

MOTOR VEHICLE SHOWS

Motor vehicle dealers may participate in no more than two motor vehicle shows annually away from the dealer's licensed place of business if the event is conducted for not more than five consecutive days and the event does not require the dealer to pay an unreasonably prohibitive participation fee. If any show or sale includes a class of dealers or franchised new vehicle line-make that is also represented by a same class dealer or a dealer representing the same line-make outside the city or town limits and is within 10 miles of where the show or sale is to take place, the dealer outside the city or town limits must be invited to participate in the show or sale. The bill shortens the duration of off-site sales to five days instead of 10 days and increases the permit fee for off-site sales from \$250 to \$550. An out-of-state recreational vehicle show promoter may hold recreational vehicle shows within the state under certain conditions.

ADVERTISING STANDARDS

The terms "invoice price" and "\$....below/over invoice" cannot be used in advertisements as is currently allowed, and the prohibition on advertisements that offer to match or better a competitor's price is removed.

SALVAGE VEHICLES

The definition of "salvage vehicle" is revised to include a later model year vehicle that is damaged during a year no more than six years after the manufacturer's model year designation which is damaged to the extent that the total cost of repairs to rebuild it exceeds 80% of the value of the vehicle

prior to it being damaged. In determining salvage value, the total cost of repairs cannot include the cost of repairing hail damage. The bill also requires purchasers of salvage vehicles no more than six years past the manufacturer's model year designation to apply for a salvage title. On any salvage vehicle purchased during a year more than six years past the manufacturer's model year designation, the application for a salvage title is optional.

MOTOR VEHICLE FRANCHISE PRACTICES ACT

The definition for "motor vehicle" contained in the Motor Vehicle Franchise Practices Act is revised to include any engine, transmission, or rear axle that is manufactured for installation in any vehicle with a gross vehicle weight rating over 16,000 pounds, regardless of whether the part is attached to a vehicle chassis.

RENTAL VEHICLES

Currently, any additional charges other than the sales tax which customers must pay when renting a vehicle must be clearly disclosed in the advertised price. The bill requires that the additional charges must be clearly disclosed on the rental agreement. When a rental rate is advertised, the maximum daily amount of additional charges must also be quoted.

EMERGENCY VEHICLES

Currently, drivers must yield the right-of-way upon the immediate approach of certain emergency vehicles with an audible siren or with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet or a flashing blue light as authorized by Section 307.175, RSMo. The bill adds any vehicle operated by a conservation agent as an emergency vehicle for which drivers must yield the right-of-way.

MOTOR VEHICLE LIENS

A lienholder is required to release a motor vehicle lien within five business days after the lien has been satisfied. Currently, a lienholder has 10 business days. A lienholder must also notify the department within five business days after the release if the certificate of ownership is in its possession. Any lienholder who fails to timely release a satisfied lien is subject to a fine of up to \$2,500 depending on the number of days of noncompliance.

DISTINCTIVE DEALER PLATES

The bill creates the dealer license number designations of RV-0 through RV-9999 for new and used recreational vehicles. The commercial motor vehicle designation for plates D-1000 through D-1999 has been changed for use by new motorcycle franchise dealers and powersport dealers. The bill expands the number of dealer plates for wholesale motor vehicle dealers and boat dealers.

DRIVEAWAY SADDLEMOUNT COMBINATIONS

The maximum length for a driveaway saddlemount combination is increased from 75 feet to 97 feet when operated on any interstate highway.

SPECIAL LICENSE PLATES

Provisions authorizing the designation of a special firefighter license plate for any person employed with a fire department, fire protection district, or voluntary fire protection association are reinstated.

The department is allowed to deny a special license plate if no applications are received within five years from the effective date of the bill authorizing the plate.

LICENSES OF MILITARY MEMBERS

The bill allows a driver's license application to be signed by an individual with power of attorney for another individual deployed with the United States Armed Forces. The bill authorizes the department director to waive the driving skills test required for a commercial driver's license for any qualified military applicant who is currently licensed at the time of application and to accept alternative requirements for satisfaction of the skills test. The applicant must not have had any license suspension, revocation, or cancellation within two years of the application.

SALVAGE POOL SALES

Salvage pool sales are restricted to only individuals engaged in the salvage business and holding salvage dealer licenses, licensed motor vehicle dealers, and individuals from foreign countries who are purchasing vehicles for export. Any vehicle sold to a non-United States resident for export must have the title marked with the words "FOR EXPORT ONLY."

TRUCK WIDTHS

The maximum width limit for vehicles on all highways of the state is increased from 96 inches to 102 inches.

LOCAL LOG TRUCKS

The area in which local log trucks and tractors can operate is expanded from 50 to 100 miles from a forested site.

DISABLED LICENSE PLATES AND PLACARDS

Any person 75 years of age or older is exempt from providing a physician's statement when renewing a disabled license plate or placard. The renewal period for disabled windshield placards is extended from two to four years.

TOW TRUCK ORDINANCE VIOLATIONS

A tow truck operator is prohibited from proceeding to the scene of an accident without permission or request by a party involved in the accident or a public safety officer. Any violation of this provision will be

a 4-point assessment on the operator's driver's license.

The provisions regarding the bona fide place of business, proof of insurance of a current dealer garage policy, the number of additional plates a new motor vehicle dealer and manufacturer may hold, educational seminar requirements, the renewal period for disabled plates and placards, and the exemption for persons older than 75 years of age become effective January 1, 2008.

CCS HCS SB 84 — CHILDREN

This bill changes the laws regarding children.

CRIMINAL BACKGROUND CHECKS

Currently, an entity making a request for criminal history record information that is based on a fingerprint search must pay a fee of not more than \$14 when the request is required by law and not more than \$20 when not required by law. Under the bill, an entity cannot be charged a fee of more than \$20 dollars for criminal history record information based on a fingerprint search, unless the request is required for a concealed carry endorsement or foster home, residential care facility, or child placing agency licensing where the fee will be \$14.

Currently, an entity making a request as required by law for criminal history record information that is not based on a fingerprint search must pay a fee of not more than \$5 and entities making requests not required by law no more than \$10. Under the bill, an entity cannot pay more than \$9 regardless of why it is requested. However, after January 1, 2010, the Superintendent of the State Highway Patrol may increase the fee by no more than \$1 per year, up to a \$15 maximum.

Family members who are caring for a child as a result of an emergency placement will be required to undergo a criminal background check within 15 calendar days. Currently, a check must be made within 15 business days, and there is an exception for conducting checks for family members who are within the second degree of consanguinity of the child. The Children's Division within the Department of Social Services and the Department of Health and Senior Services are allowed to waive the fingerprint background check requirement for a foster care applicant when recertifying the foster care home.

INTERSTATE COMPACT FOR JUVENILES

The bill changes the laws regarding the Interstate Compact for Juveniles. The compact is an existing agreement between the states regarding the supervision and transfer of juvenile delinquents who have escaped from supervision to another state. Adoption of the compact makes Missouri a member

of the Interstate Commission for Juveniles and requires the state to select a compact administrator to manage the state's transfer of those juveniles subject to the compact. The compact establishes the powers and duties of the interstate commission and specifies the bylaws, corporate structure, rule-making authority, financing mechanism, process for dispute resolution, and enforcement provisions.

INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN

The bill changes the laws regarding the Interstate Compact for the Placement of Children. The compact is an existing agreement between the states regarding the interstate placement of children. The bill establishes a process and the operating procedures to place children subject to the compact in safe and suitable homes in a timely manner and facilitates the ongoing supervision of a placement, delivery of services, and communication between the states. Adoption of the revised compact makes Missouri a member of the Interstate Commission for the Placement of Children and requires the state to establish a central state compact office to be responsible for state compliance with the compact and the rules of the commission. The compact establishes the powers and duties of the commission and specifies the bylaws, corporate structure, rule-making authority, financing mechanism, process for dispute resolution, and enforcement provisions. The compact promotes coordination between the compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance, and other compacts affecting the placement of and services to children otherwise subject to this compact. The compact provides for a state's continuing legal jurisdiction and responsibility for the placement and care of a child that it would have had if the placement was intrastate and establishes guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children.

AMBER ALERT SYSTEM AND MISSING PERSONS

The bill specifies that the Amber Alert System is to aid in the location of abducted children rather than adults and that an "abducted child" is an individual whose whereabouts are unknown, is younger than 18 years of age, and is reasonably believed to be a victim of kidnapping or younger than 18 years of age and at least 14 years of age who would be reasonably believed to be a victim of child kidnapping if the person was younger than 14 years of age.

An advisory system is established to aid in the identification and location of missing endangered persons and specifies that a "missing endangered person" is someone whose whereabouts are unknown and who is:

(1) Physically or mentally disabled to the degree that the person is dependent upon an agency or another individual;

(2) Missing under circumstances indicating that the missing person's safety may be in danger; or

(3) Missing under involuntary or unknown circumstances.

TERMINATION OF PARENTAL RIGHTS

A juvenile officer or the juvenile division of the circuit court must file a petition for the termination of parental rights within 60 days of the judicial determination. Filing a petition after 60 days will not prohibit the court's jurisdiction to adjudicate a petition for the termination of parental rights.

CHILDREN IN RESIDENTIAL CARE FACILITIES

The bill requires the Department of Elementary and Secondary Education in conjunction with the Department of Social Services to conduct a study to determine the means of ensuring that the educational needs of children in residential care facilities are met. A report must be given to the General Assembly and Governor by November 1, 2007, which includes, but is not limited to, recommendations for specific procedures and timetables to determine the appropriate amount of hours in a school day for a child; the appropriateness of the education for the children who do not have individualized education programs or who are without a pending referral for special education services; and the responsibility, financial or otherwise, of the local school district and the child placing agency on the proper and timely placement of children in an appropriate educational setting.

The interstate compacts become effective August 28, 2007, or upon legislative enactment of the compacts into law by no fewer than 35 states, whichever occurs later.

CCS#2 HCS SCS SB 86 — TAX CREDITS FOR SERVICES FOR CHILDREN

This bill changes the laws regarding tax credits for children in crisis by specifying that the cumulative cap on the nonrecurring adoption expenses cannot be more than \$4 million unless additional funds are appropriated in any fiscal year beginning on or after July 1, 2004, and dividing the amount of remaining tax credits available for the children in crisis tax credit equally among court-appointed special advocate (CASA) entities, child advocacy centers, and crisis care centers. If tax credits claimed under one agency do not total the allocated amount for that agency, the remaining tax credits will be allocated

equally among the remaining agencies. If the total amount of tax credits claimed for any one agency exceeds the amount available for that agency, the amount redeemed will be apportioned equally to all eligible taxpayers claiming the credit under that agency.

The Residential Treatment Agency Tax Credit Act is revised so that an eligible donation made to a state agency providing services for children in residential facilities can include cash, publicly traded stocks and bonds, and real estate. These donations will be valued and documented according to rules established by the Department of Social Services.

The bill contains an emergency clause.

SCS SB 91 — EMERGENCY VEHICLE DEALERS

This bill defines "emergency vehicles" and exempts dealers who sell only emergency vehicles from maintaining a bona fide place of business, including the related law enforcement certification requirements, and from meeting the minimum yearly sales.

HCS SS SB 112 — EDUCATION

Subject to appropriation, this bill requires the Department of Elementary and Secondary Education to implement a pilot program allowing the Regional Interagency Coordinating Council of the Greater St. Louis single point of entry to hire a part-time child-find coordinator by July 1, 2008, to conduct the child-find requirements of the First Steps Program for the region. The council must conduct a study on the effectiveness of the coordinator and prepare a report by September 1, 2010, to the State Interagency Coordinating Council, department, and General Assembly.

The Part C Early Intervention Pilot Program Fund is created for implementing the pilot program which will expire September 1, 2011.

The bill also exempts the state's early intervention services for children, known as the First Steps Program, from the sunset provisions.

Any school district wanting to change its boundary lines must submit the question at the next election after receipt of a qualified petition, rather than the next general municipal election. The State Board of Education must approve a proposed boundary change in certain circumstances based on the scores of the receiving and sending districts on their most recent annual performance reports.

HCS SB 127 — MISSOURI DEPARTMENT OF TRANSPORTATION AND HIGHWAY PATROL EMPLOYEES' RETIREMENT SYSTEM

Currently, a uniformed member of the State Highway Patrol may purchase up to four years of his or her prior creditable service as a nonfederal, full-time public employee if he or she is not receiving or eligible to receive credits or benefits from any other public plan for the service being purchased. This bill allows any member of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) to purchase the service. Any MPERS member who is entitled to a deferred annuity will not be eligible to purchase any service.

The purchase of this service must be completed prior to retirement or termination of employment. If a member who purchased service dies prior to his or her retirement, the surviving spouse can receive a refund of the purchase amount if he or she is not eligible for survivor benefits.

Currently, the retired employees of the Department of Transportation together with the civilian or uniformed highway patrol select one member to the board of trustees of MPERS. The bill adds one new member to the board by allowing each group to elect one board member.

SB 162 — CLAIMS FOR INCOME TAX REFUNDS

This bill revises the definition of "state agency" as it relates to the offsetting of state income tax refunds to include housing authorities created in Section 99.020, RSMo.

HCS#2 SCS SB 163 — LEGAL SERVICES

This bill disallows any state legal services program from using state funds to sue the state, its agencies, or its officials. The expiration date for the Basic Civil Legal Services Fund Program is extended to December 31, 2012.

The cost for preparing an original copy of a court transcript or notes of evidence done by a court reporter is increased from \$1.50 to \$2.00 per page. Uncertified court reporters will be allowed to prepare depositions for use in any court under the following conditions:

(1) All parties consent in writing to the use of the uncertified court reporter no later than seven days prior to the date of the deposition unless time is shortened by the court;

(2) All parties certify by signature that the deposition to be used in court is a true and correct copy of the testimony;

(3) The uncertified court reporter must state on the record that he or she is an uncertified court reporter appearing with the consent of the parties;

(4) A voice recording must be kept for two years and provided to any party upon written request within 14 days;

(5) The uncertified court reporter must have applied for the certified court reporter examination and paid all required fees;

(6) The notice of deposition must contain a statement in bold, 14-point type that an uncertified court reporter will be used; and

(7) The uncertified court reporter preparing a deposition is operating under a temporary certification.

The provisions regarding court reporters will expire December 31, 2012.

SB 166 — TIME-SHARE PROMOTIONAL PROGRAM NOTIFICATIONS

This bill requires all information regarding promotional programs used to advertise, solicit, or sell any time-share period, plan, or property to be provided in writing or electronically to prospective buyers within a reasonable period of time prior to any scheduled sales presentation.

SB 172 — POLICE AND CIVILIAN EMPLOYEES' RETIREMENT SYSTEM OF KANSAS CITY

Currently, a member who retires from the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City is entitled to a supplemental retirement benefit of \$50 per month in addition to the base benefit and cost-of-living increases. This bill specifies that any member who retires due to completing at least 25 years of service, reaching mandatory retirement age, or sustaining a permanent disability prior to August 28, 2001, will receive a monthly equalizing supplemental compensation of \$10. The supplemental compensation may be adjusted by cost-of-living increases annually, but the total of both cannot exceed 25% of the member's base pension. The term "member" includes the surviving spouse of a member who qualifies under the provisions of the bill.

SS SB 195 — PRACTICE OF PHARMACY

This bill specifies that the term "practice of pharmacy" includes the implementation of medical prescription orders and authorizes the design and implementation of a medication therapeutic plan defined by a specific prescription order. Physician

protocols referring to the patient are required and cannot come from a nurse under a collaborative agreement with a physician.

Health carriers are prohibited from requiring any physician with whom they contract to enter into a written protocol with a pharmacist for medication therapeutic services. The State Board of Registration for the Healing Arts and the State Board of Pharmacy within the Department of Insurance, Financial Institutions, and Professional Registration are authorized to establish rules regulating prescription orders for medication therapy services and the administration of flu shots.

The bill prohibits any person other than the patient or the patient's authorized representative from accepting a dispensed prescription order unless that person is on the premises of a pharmacy.

The State Board of Pharmacy may establish the Well-being Committee to aid pharmacists who suffer from illness, substance abuse, mental illness, or physical impairments. The board will enter into contractual agreements with nonprofit corporations for the purpose of creating, supporting, and maintaining the committee. All communications involving the licensee and the committee are confidential and not considered a public record.

The committee may disclose information about an impaired licensee when it is necessary to further the intervention, treatment, or rehabilitation of the licensee; the release is authorized by the licensee; the committee must make a report to the board; or the information is subject to a court order.

HCS SCS SB 198 — USE OF LANDS

This bill adds facility enhancement to the list of permissible activities for which the Department of Natural Resources may enter into cooperative agreements with nonprofit organizations and allows these organizations to provide services to any state park instead of only one state park. The department may provide incidental staff support if the organization reimburses the department for the actual costs of park facility space and staff support as well as demonstrates the fiscal, interpretive, educational, and facility enhancement benefits to the state. Proceeds from the sale of any services under a cooperative agreement must be used by the organization for interpretive or educational services in state parks.

The crime of distribution of a controlled substance near a park when a person unlawfully distributes or delivers heroin, cocaine, LSD, amphetamine, or methamphetamine to another individual within 1,000 feet of a public, private, state, county, or municipal park is created. The crime will be a class A felony.

The bill also specifies that all historic shipwreck materials and other objects that have historic or archaeological value and have been abandoned for at least 50 years on lands beneath navigable waters belong to the state and will be administered and protected by the Office of State Historic Preservation within the department. Any application for the approval of regulated activities at a historic shipwreck site will include authorized written permission from any affected landowner allowing access both to and from sites on the property and any ground-disturbing activities on the property.

Individuals are prohibited from fishing, hunting, trapping, or retrieving wildlife from private land without the permission of the owner or lessee of the property. Any person who knowingly does so will be guilty of a class B misdemeanor and may lose his or her license to fish, hunt, or trap for one year from the date of the conviction.

Any person who is engaged in the retrieval of wildlife from private land with the permission of the landowner and intentionally drives or flushes large or small game toward other hunters located on other parcels of land or intentionally discharges a firearm at large or small game that originates from private land during the retrieval will be guilty of a class B misdemeanor.

SS SCS SB 215 — REGULATION OF INSURANCE COMPANIES

This bill changes the laws regarding captive insurance companies and special purpose life reinsurance companies.

CAPTIVE INSURANCE COMPANIES

In the bill, captive insurance companies:

(1) Are allowed, when permitted, to apply for a license to provide insurance and annuity contracts under Section 376.010, RSMo, to parent, affiliated, or controlled unaffiliated companies. Captive insurance companies cannot provide personal motor vehicle or homeowner's insurance but may reinsure certain workers' compensation plans;

(2) Cannot adopt a name that is likely to be confused with or mistaken for an existing company;

(3) Must maintain adequate paid-in capital and surplus as required in order to be issued a license. No dividend can be paid without prior approval from the Director of the Department of Insurance, Financial Institutions, and Professional Registration;

(4) Are allowed to be incorporated under Section 379.1310;

(5) Must annually report their financial condition to the department director as required;

(6) Will be examined at least once every three years by the department director or his or her agent;

(7) Can have their license suspended or revoked by the department director for cause;

(8) Must comply with investment requirements contained in Chapter 375 and Sections 379.080 and 379.082 as applicable;

(9) May reinsure risks or portions of risks with the prior approval of the department director;

(10) Cannot be required to join a rating organization or be allowed to join or contribute financially to a plan, pool, association, guaranty, or insolvency fund for claims arising out of the operation of the company;

(11) Must pay the taxes required under Section 379.1326 to the Director of the Department of Revenue by May 1 of each year. Fees and assessments received by the Department of Insurance, Financial Institutions, and Professional Registration will be paid into the Insurance Dedicated Fund; and

(12) Will fall under the jurisdiction of the Division of Workers' Compensation within the Department of Labor and Industrial Relations on insurance they provide for excess workers' compensation insurance to their parent or affiliated company.

SPECIAL PURPOSE LIFE REINSURANCE COMPANIES

In the bill, special purpose life reinsurance companies:

(1) Are created as a means to facilitate financing of life insurance reserves, annuity reserves, or accident and health reserves and reinsuring the embedded value of insurance businesses;

(2) Are required to be licensed; have minimum surplus requirements of at least \$250,000; and meet statute and regulation requirements relating to the issuance of securities, the valuing of assets, the payment of dividends, the maintenance of books and records, and their tax treatment;

(3) Must file a plan of operation with the Director of the Department of Insurance, Financial Institutions, and Professional Registration. The plan of operation must contain a description of the contemplated financial transactions and a detailed description of transaction documents to which the special purpose companies will be a party;

(4) Are required to pay an initial license fee and annual renewals of \$7,500;

(5) Are required to meet various standards for being granted a license;

(6) May be organized as a stock corporation, a statutory close corporation, a limited liability company, or other form of organization approved by the department director;

(7) May enter into contracts with ceding companies under certain conditions; and

(8) May be ordered by a circuit court to conserve, rehabilitate, or liquidate their assets under certain conditions.

SS SCS SB 225 — HUNTING HERITAGE PROTECTION AREAS ACT

This bill establishes the Hunting Heritage Protection Areas Act which specifies that, subject to all applicable state, federal, and local laws in effect as of the effective date of the bill, the discharge of a firearm for hunting, sport, and all other lawful purposes will not be prohibited in specified protected areas. Protected areas will include all land located within the 100-year flood plain of the Missouri and Mississippi rivers as designated by the Federal Emergency Management Agency.

Areas exempt from the provisions of the bill include:

(1) Areas designated as urbanized by the 2000 United States Census;

(2) Land used by a facility that is regulated by the Federal Energy Regulatory Commission;

(3) Land used for the operation of a port of commerce or a customs port;

(4) Land within the city boundaries of Kansas City or St. Louis; and

(5) Land located within one-half mile of an interstate highway in existence on the effective date of the bill.

New tax increment financing (TIF) projects are prohibited in any hunting heritage protection area after the effective date of the bill, except for:

(1) Expanding the boundaries of existing TIF areas by no more than 5%;

(2) Improving existing flood or drainage protection; or

(3) Constructing or operating a renewable fuel production facility if no new development directly associated with the production of renewable fuel occurs as a result of the project.

TIF projects or districts approved prior to the effective date of the bill are allowed to make certain modifications.

CCS SB 233 — LOCAL TAXES

This bill authorizes local taxes to fund various local services. In its main provisions, the bill:

(1) Establishes the Children's Services Protection Act which requires any city or county that has levied a sales tax for providing services to children in need to reimburse the community children's services fund the amount of tax revenue that is used for or diverted to any tax increment financing project approved or adopted after August 28, 2007;

(2) Authorizes the county governing body to have exclusive control over the expenditures and operation of a regional recreational district when the district is located only in that county on land owned solely by the county. Currently, this will only affect Boone County;

(3) Authorizes Perry County to impose, upon voter approval, a sales tax of up to .25% to equally fund senior services and youth programs;

(4) Authorizes the City of Gladstone to impose, upon voter approval, a transient guest tax of up to 5% on hotel and motel rooms to be used for the promotion of tourism;

(5) Authorizes the City of Independence to impose, upon voter approval, a sales tax of up to 1% of gross retail receipts to be used for funding police services provided by the municipal police department; and

(6) Specifies that any plan for an industrial development project in Boone County approved after May 15, 2005, must disburse any reimbursements in excess of the actual costs to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity, not just the entities in current law.

SB 257 — FIREARMS

This bill prohibits the state, any political subdivision, or any person from restricting the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during an emergency.

HCS SB 270 — PEACE OFFICER STANDARDS AND TRAINING

This bill increases the number of members on the Peace Officer Standards and Training (POST) Commission from nine to 11 by including two members that are peace officers at or below the rank of sergeant employed by a political subdivision. No more than two members of the commission can reside in the same congressional district, and no two members may be employees of the same law enforcement agency.

The bill also allows the Director of the Department of Public Safety to establish rules to implement the POST Program.

HCS SCS SB 272 — PROFESSIONAL REGISTRATION

This bill changes the laws regarding the licensure of certain professionals in the Division of Professional Registration within the Department of Insurance, Financial Institutions, and Professional Registration.

PROFESSIONAL LICENSE RENEWALS

Deaf interpreters, occupational therapists, occupational therapy assistants, clinical perfusionists, dietitians, massage therapists, interior designers, acupuncturists, tattooists, body piercers, and branders are added to the list of licensed professionals who are allowed to extend their license renewal with the division while on active military duty until up to 60 days after completing their service.

ENDOWED CARE CEMETERIES

As a condition of license renewal, operators of endowed care cemeteries must file an annual trust fund report with the division. The definition of “funeral establishment” is expanded to include a crematory.

LANDSCAPE ARCHITECTS

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects is allowed to establish continuing education requirements and authorize inactive licenses under certain circumstances for landscape architects. License renewal fees are waived for landscape architect licensees older than 75 years of age.

CHIROPRACTORS

An applicant for licensure as a chiropractor must furnish the State Board of Chiropractic Examiners with evidence that he or she has completed the minimum number of hours of course study required by the Council on Chiropractic Education, or its successor, prior to beginning any doctoral course of study in chiropractic. However, the applicant must have completed at least 90 semester credit hours before beginning the doctoral course.

PHYSICAL THERAPISTS

The bill allows a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education who is satisfying the supervised clinical education requirements while under the on-site supervision of a physical therapist or practicing in the United States Armed Services, United States Public Health Service, or Veterans Administration to practice as a physical therapist.

The membership of the Advisory Commission for Physical Therapists under the State Board of Registration for the Healing Arts is changed from five to four licensed physical therapists and one licensed physical therapist assistant.

PROFESSIONAL COUNSELORS AND SOCIAL WORKERS

The bill prohibits state and local agencies, including school districts, from discriminating between licensed professional counselors when establishing rules or when requiring or recommending services that may be legally performed by licensed professional counselors.

The reciprocity provision regarding professional counselors is changed to allow a person licensed as a professional counselor in another state who is at least 18 years of age, of good moral character, and a citizen of or legally present in the United States to receive a license without passing an examination.

The complaint procedure and document retention requirements are revised when an inmate files a complaint against a licensed professional counselor or licensed clinical social worker. When a complaint by an inmate is found to be lacking merit, no further disciplinary action will take place, no documentation will appear on file, and no notification will be given to the Committee for Professional Counselors or the State Committee for Social Workers within the department unless there are grounds for disciplinary action to be taken against a counselor's license. A licensee subject to a claim without merit prior to the effective date of the bill may request the committees to destroy documents pertaining to the claim, to notify other state licensing boards that the claim was unsubstantiated, and to supply him or her with a letter stating that the claim was unsubstantiated. Licensees will not be required to disclose the existence of unsubstantiated claims.

MARITAL AND FAMILY THERAPISTS

The reciprocity provision regarding licensed marital and family therapists is changed to allow a person holding a current, unsanctioned license from another state whose requirements are substantially the same as Missouri's to apply for a license with the State Committee on Marital and Family Therapists without passing an examination.

PHARMACISTS

The bill changes the laws regarding the State Board of Pharmacy and pharmacists. The bill:

- (1) Removes the one-year time limit for an intern pharmacist license;
- (2) Repeals the provision authorizing the board to establish rules restricting the practice of intern pharmacists;
- (3) Creates a veterinary class for pharmacy permits or licenses; and
- (4) Specifies that the veterinary pharmacy permit will not interfere with a licensed veterinarian when compounding or dispensing his or her own prescriptions.

REAL ESTATE APPRAISERS

The bill changes the laws regarding the Missouri Real Estate Appraisers Commission and real estate appraisers. The bill:

- (1) Repeals the provision that requires members of the commission to be members in good standing of a nationally recognized real estate appraisal organization and the provision regarding the term of office of initial members of the commission;
- (2) Repeals the provisions authorizing the commission to decide the location of future quarterly meetings and to waive continuing education requirements for retired or disabled appraisers;
- (3) Authorizes the commission to administer oaths and issue and enforce subpoenas;
- (4) Allows a person to renew his or her expired license within a two-year period if evidence of the completion of all continuing education requirements is provided and authorizes the commission to issue inactive licenses; and
- (5) Establishes an inactive license for a licensee who requests it.

DISQUALIFICATION LIST

The Department of Health and Senior Services is required to provide the employee disqualification list to any school of nursing, school of medicine, or school of any other health profession to verify whether students participating in patient care services are on the disqualification list. The list identifies individuals who have been determined by the department to have recklessly, knowingly, or purposely abused or neglected an in-home services or home health patient while employed by an in-home services provider or home health agency.

HCS SS SCS SB 284 — VIDEO SERVICE REGULATIONS

This bill establishes the 2007 Video Services Providers Act which changes the laws regarding new video franchise agreements. In its main provisions, the bill:

- (1) Requires the Missouri Public Service Commission to regulate video service by issuing video service certificates that grant authority to construct networks and provide service within political subdivisions. Currently, political subdivisions enter into separate franchise agreements with the video service providers;
- (2) Allows existing video service providers to provide service under existing agreements with political subdivisions until the agreements expire, apply for a new video service authorization, or convert their existing franchise into a video service authorization. The holder of a video service authorization may terminate the authorization or transfer it to another party upon notice to the commission;

(3) Allows political subdivisions to collect a service fee of up to 5% of the gross revenue of each video service provider, but the fees for all video service providers in the franchise area must be the same. Political subdivisions may adjust fees yearly by providing 90 days' notice to providers. A schedule for the payment of fees is specified and providers are allowed to charge customers for the tax if it is itemized on the customer's bill;

(4) Allows political subdivisions to conduct audits of video service providers and engage in mediation with providers in order to resolve customer disputes. Procedures for audits, mediation, and court challenges are specified;

(5) Requires the commission to make a report on the implementation of the provisions of the bill, including customer comments, to the General Assembly by August 28, 2008, and annually thereafter for three years;

(6) Specifies detailed requirements that allow political subdivisions to require a provider to offer noncommercial public, educational, and governmental (PEG) channels. New and existing providers will be required to meet the same criteria for providing PEG channels. Existing providers must fulfill their obligations to PEG channels until their existing contract expires or January 1, 2012, whichever is earlier;

(7) Requires new providers to serve low-income households in their franchise areas by establishing a target of 25% service to low-income homes within three years and 30% service within five years. Providers having more than one million access lines in this state will have to meet the 25% target in three years and a 50% target within six years. The commission may waive these low-income service requirements in certain cases; and

(8) Allows political subdivisions to retain reasonable regulation of their public rights-of-way and the placement of video service equipment.

HCS SCS SB 288, SB 152 & SCS SB 115 — CONVEYANCES OF PROPERTY

This bill authorizes the Governor to convey state property in the City of St. Louis and the counties of Greene, Livingston, Newton, Pettis, St. Francois, and Texas.

The bill contains an emergency clause.

SB 298 — HOSPITAL DISTRICT DIRECTORS IN IRON COUNTY

This bill changes the election procedure for hospital district directors in Iron County by requiring each voter to select only one director from the hospital election district in which the voter resides. Currently,

each voter selects six hospital district directors, one from each district.

CCS HCS SCS SB 299 & SS SCS SB 616 — LIQUOR CONTROL

This bill changes the laws regarding liquor control. In its main provisions, the bill:

(1) States that the regulation of the sale and distribution of alcohol beverages under Chapter 311, RSMo, achieves the state policy goals of promoting responsible consumption, combating underage drinking, and maintaining an orderly marketplace;

(2) Updates state merchandising regulations to the current trade practices to make them consistent with federal regulations, addresses nonintoxicating beverages in the context of merchandising practices, and establishes charges for late liquor license renewals;

(3) Allows distillers, wholesalers, winemakers, or brewers to make monetary contributions to not-for-profit organizations for special event infrastructure expenses under certain conditions;

(4) Allows a tax-exempt entity located within a building designated as a national historic landmark in a convention trade area in Kansas City, North Kansas City, or Jackson County that holds a license to sell intoxicating liquor by the drink at retail for consumption on the premises to stay open until 6:00 a.m. of the following day. Currently, the establishment can stay open until 3:00 a.m. of the following day;

(5) Removes the expiration date of January 1, 2007, for provisions allowing certain resorts licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in Camden, Miller, and Morgan counties to remain open during the week until 3:00 a.m.;

(6) Authorizes a vintage wine solicitor license with a \$500 annual fee;

(7) Allows a licensed wine manufacturer from this state or any other state to obtain a wine direct shipper license in order to ship up to two cases of wine per month directly to a Missouri resident older than 21 years of age for his or her personal use. Wine manufacturers must use a licensed alcohol carrier as specified in the bill when shipping the wine. A retail alcohol beverage licensee may ship up to two cases of wine annually to an adult Missouri resident;

(8) Authorizes certain licensed wine manufacturers who allow consumption of wine on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.;

(9) Allows wineries, distillers, manufacturers, wholesalers, or brewers to provide samples for customer tasting purposes on any temporary licensed retail premises or tax-exempt organization's licensed premises, or off a licensed retail premises under certain conditions; and

(10) Authorizes a cause of action against any person who is the proximate cause of an official action by the Division of Alcohol and Tobacco Control within the Department of Public Safety against a retail liquor licensee who is aggrieved by the official action. The maximum award of damages is \$5,000 plus reasonable court costs and attorney fees. No cause of action can be brought against an employee of the division or any law enforcement officer.

SCS SB 302 — STATUTORY LIENS AGAINST REAL ESTATE

This bill revises the definition of “commercial real estate” by removing real estate on which no buildings or structures are located and explicitly specifying that commercial real estate will include any unimproved real estate of any zoning classification, other than agricultural or horticultural real estate, being purchased for development or subdivision.

The six-month statute of limitations for filing a lien will apply to the labor portion regarding the use of rental equipment while the 60-day time frame will apply to the rental equipment value. The five-day written notice requirement for a lien on the use of rental equipment will not apply to the labor provided by the person using the equipment.

CCS#2 HCS SCS SB 308 — LICENSED PROFESSIONALS

This bill changes the laws regarding the licensure of certain professionals in the Division of Professional Registration within the Department of Insurance, Financial Institutions, and Professional Registration.

HUMAN VOICE CONTACT ACT

The bill establishes the Human Voice Contact Act which requires any state agency using automated telephone answering equipment to provide the caller with the option of speaking with a live operator during normal business hours.

CHRONIC KIDNEY DISEASE TASK FORCE

The Chronic Kidney Disease Task Force is established to educate the public and health care professionals about early screening, prevention, diagnosis, treatment, and complications of chronic kidney disease. The task force must submit a report of its findings and recommendations to the General Assembly within one year of the first task force meeting.

MIXED MARTIAL ARTS

The bill changes the laws regarding the regulation of mixed martial arts, full-contact karate, boxing, kickboxing, and wrestling. The bill:

(1) Defines “amateur,” “boxing,” “mixed martial arts,” “full-contact karate,” “kickboxing,” and “wrestling”;

- (2) Revises the definition of “combative fighting”;
- (3) Revises the definition of “bout” to include professional mixed martial arts;
- (4) Authorizes the division to establish rules governing amateur sanctioning bodies;
- (5) Allows a gross receipts tax to be assessed on pay-per-view telecasts of these events;
- (6) Removes the limit on the number of rounds and the time of each round for professional events;
- (7) Increases the length of the medical suspension for contestants who lose consciousness during a professional event from 120 to 180 days;
- (8) Expands the disciplinary authority of the Office of Athletics within the division; and
- (9) Requires contestants participating in boxing, kickboxing, wrestling, full-contact karate, or mixed martial arts to sign a bout contract with the event promoter before each contest which specifies their weight, how much they are being paid, and the date and location of the event.

PRIVATE INVESTIGATORS

The Board of Private Investigator Examiners is established within the division. No person can provide private investigative services without being licensed. The bill specifies the membership and duties of the board; exemptions from licensure; requirements for application and licensure; proof of liability insurance; training and written examinations; fees; background checks on applicants; the appeal process for the denial, suspension, or revocation of licenses; types and terms of licenses; continuing education requirements, and the procedure for applicants seeking reciprocity. Licensees are allowed to disclose to the board, any law enforcement agency, a prosecutor, or the licensee’s own representative any information regarding a criminal offense or to instruct their clients to do so if they are victims of a criminal act. Licensees are prohibited from making false reports, presenting themselves as a state or federal officer, or manufacturing false evidence. Certain identifying evidence must be filed with the board by licensees. Private investigators or investigator agencies are required to maintain complete records of business transactions. Records may be confidentially examined by the board under certain circumstances. Certain exemptions are allowed for current private investigators.

ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects is authorized to impose civil penalties upon any person practicing these professions without a valid license, subject to an administrative action by the board.

Complaints must be filed with the Administrative Hearing Commission. If the commission finds that an unlicensed person has violated the provisions of the bill, the board may issue a civil penalty not to exceed \$5,000 for each day of violation, with a maximum penalty of \$25,000. The person being fined has the right to appeal to a circuit court. If the case is finalized and the penalty is not timely paid, the Attorney General may commence an action to recover the penalty, including court costs, attorney fees, and surcharges.

The board is also authorized to assess reasonable costs and expenses incurred in conducting the investigation and administrative hearing and impose a civil penalty against a licensee after the commission has found a cause for discipline.

An unlicensed individual will be allowed to use a form of the word “engineer” without being subject to disciplinary action if the use of the term is reflective of his or her profession and does not imply that he or she is a professional engineer.

CHIROPRACTORS

The bill specifies that the term “practice of chiropractic” is the examination, diagnosis, and treatment by methods commonly taught in any chiropractic college or chiropractic program in a university accredited by the Council on Chiropractic Education, its successor entity, or a program approved by the State Board of Chiropractic Examiners.

STATE BOARD OF REGISTRATION FOR THE HEALING ARTS

A graduate of a medical school accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates is allowed to serve as a member of the State Board of Registration for the Healing Arts.

NURSES

The bill changes the laws regarding the licensing of nurses. The bill:

(1) Establishes a lapsed and a retired license status;

(2) Requires the notice of a disciplinary hearing before the State Board of Nursing to be served in person or by certified mail. If this cannot be accomplished, the board may publish the notice in a local newspaper;

(3) Authorizes the board to establish an impaired nurse program to promote early intervention and treatment of nurses who may be impaired by reasons of illness, substance abuse, or mental illness and may require a nurse to enter treatment as a condition for licensure;

(4) Allows the board to request an expedited hearing before the Administrative Hearing Commission if the board determines that a nurse has committed an act which is a clear and present danger to the public. Fifteen days after the complaint and after a preliminary hearing, the board may immediately restrict or suspend the license. Temporary authority to suspend a license becomes final if the nurse does not request a full hearing within 30 days;

(5) Allows for the sealing of records if the board, commission, or a court of competent jurisdiction determines that a complaint does not constitute a violation of the Nursing Practice Act and is unsubstantiated;

(6) Allows a person holding the title of advanced practice registered nurse to use the title or any other title appearing on his or her license;

(7) Makes it unlawful for any unlicensed person to use the title of nurse;

(8) Makes a person who violates any provision of Chapter 335, RSMo, guilty of a class D felony. Currently, it is a class A misdemeanor;

(9) Specifies that reports made to the board do not violate the federal Health Insurance Portability and Accountability Act because the board qualifies as a health oversight agency;

(10) Defines “temporary nursing staffing agency” as any person, firm, partnership, or corporation doing business within the state that supplies, on a temporary basis, registered nurses or licensed practical nurses to a hospital, nursing home, or other facility and requires them to report any disciplinary action against a licensed health care professional to the respective licensing board;

(11) Allows a person listed as a Christian Science nurse in the Christian Science Journal to use the title Christian Science nurse under certain conditions; and

(12) Revises the definition of “qualified employment” as it relates to the Nursing Student Loan Program to include any agency in an area of need as well as any public or nonprofit agency.

OPTOMETRISTS

The bill changes the laws regarding the licensing of optometrists and the practice of optometry. The bill:

(1) Specifies that the term “practice of optometry” is the examination, diagnosis, treatment, and preventative care of the eye, adnexa, and vision;

(2) Prohibits any person from practicing optometry without a license;

(3) Specifies who is qualified to receive a license;

(4) Requires an optometrist practicing away from his or her principal place of business to obtain a duplicate license and display it in clear public view;

(5) Allows an optometrist licensed in another state who has practiced for at least three years in the preceding five years with a pharmaceutical certification to be eligible to make application for licensure;

(6) Increases the continuing education requirements;

(7) Removes the requirement that the State Board of Optometry give 30 days' notice of the time and place of board meetings; and

(8) Changes the laws regarding the administering of pharmaceuticals, course of instruction necessary to administer pharmaceuticals, standards of care, and referrals to physicians.

SOCIAL WORKERS

The bill changes the laws regarding the licensing of social workers. The bill:

(1) Defines “advanced macro social worker,” “licensed advanced macro social worker,” “licensed baccalaureate social worker,” “licensed master social worker,” “master social work,” “practice of advanced macro social work,” “practice of baccalaureate social work,” “practice of master social work,” “qualified advanced macro supervisor,” and “qualified baccalaureate supervisor”;

(2) Renames the Clinical Social Workers Fund to the Licensed Social Workers Fund;

(3) Requires clinical social worker applicants to complete 3,000 hours of supervised clinical experience with a qualified clinical supervisor instead of a licensed clinical social worker;

(4) Changes the membership of the State Committee for Social Workers by adding one licensed advanced macro social worker and changing the current two licensed baccalaureate social workers to one licensed master social worker and one licensed baccalaureate social worker;

(5) Authorizes the committee to establish rules regarding supervised experience and competency for master, advanced macro, and baccalaureate social workers;

(6) Establishes the qualifications for applying for a license as a master social worker or advanced macro social worker; and

(7) Authorizes the committee to issue certificates to licensed baccalaureate social workers to practice independently if they have met certain criteria specified in the bill.

MARITAL AND FAMILY THERAPISTS

The definition of “marital and family therapy” is revised to include diagnosing marital, family, and individual behavior and intrapersonal or interpersonal dysfunctions within the context of marital and family systems.

Beginning August 28, 2008, an applicant for a marital and family therapist license must complete at least three semester hours of graduate course work in diagnostic systems and supervised diagnosis education as a core component of postgraduate supervised clinical experience.

The reciprocity provision regarding licensed marital and family therapists is changed to allow a person holding a current, unsanctioned license from another state whose requirements are substantially the same as Missouri's to apply for a license with the State Committee on Marital and Family Therapists within the department without passing an examination.

REAL ESTATE COMMISSION

The Missouri Real Estate Commission is authorized to impose civil penalties upon a licensee for a violation of the real estate licensing regulations and also against an unlicensed person performing any acts for which a valid real estate license is required. Complaints must be filed with the Administrative Hearing Commission; and if the commission finds that a person has violated provisions of the bill, the Missouri Real Estate Commission may issue a civil penalty, not to exceed \$2,500 for each day of violation.

AUDIOLOGISTS AND HEARING INSTRUMENT FITTERS

The term “practice of audiology” is expanded by adding the fitting, programming, and dispensing of assistive listening devices and other amplification systems. Licensees who sell these devices are required to provide a purchase agreement to the buyer containing product information including the terms of sale, name of manufacturer, make, model, current condition of the product, and other details.

Currently, hearing instrument retailers must employ a licensed hearing instrument specialist. The bill allows them to employ either a licensed audiologist or a licensed hearing instrument specialist. The bill also phases in educational requirements for applicants for hearing instrument specialist licenses or hearing instrument specialist-in-training permits.

The provisions regarding the mixed martial arts become effective July 1, 2008.

HCS SS SCS SB 320 — LARGE ANIMAL VETERINARY STUDENT LOAN ASSISTANCE

This bill transfers the administration of the Large Animal Veterinary Medicine Loan Repayment Program from the Missouri Veterinary Medical Board to the Department of Agriculture. The maximum number of veterinarians to whom loan repayments can be granted each year is increased from five to six, the required number of years of service in an

area of defined need to satisfy the loan repayment requirement is reduced from five to four, and the maximum service loan repayment amount per year is increased from \$10,000 to \$20,000.

The Large Animal Veterinary Student Loan Program is established to provide up to six loans yearly to veterinary students attending the College of Veterinary Medicine at the University of Missouri-Columbia. No student can receive more than \$80,000 in loans. Veterinary students agreeing to locate their practice in department-identified, underserved areas of the state will have certain amounts of their loan principal and interest forgiven.

The department director will appoint an advisory panel to make recommendations regarding the administration of the programs. The panel will consist of three licensed large animal veterinarians, the Dean of the College of Veterinary Medicine, and a public member representing agricultural interests.

The Veterinary Student Loan Payment Fund is created consisting of appropriations from general revenue and donations. Moneys in the fund will be used for student loans and administrative expenses incurred by the department.

The provisions regarding the Large Animal Veterinary Student Loan Program will expire June 30, 2013.

HCS SB 322 — CONSTRUCTION-RELATED ACTIVITIES

This bill changes the laws regarding commercial zones and the requirements for designing, constructing, and managing state buildings. In its main provisions, the bill:

(1) Establishes a commercial zone east of the city limits of Missouri City along State Highway 210 and northwest from the intersection of State Highway 210 and State Highway 10 to include the boundaries of the City of Excelsior Springs;

(2) Extends the commercial zone surrounding the City of St. Louis from 18 to 25 miles beyond its corporate city limits and throughout St. Louis and St. Charles counties;

(3) Extends the commercial zone of the City of Festus in Jefferson County south from the city limits along U. S. Highway 61 to the intersection of State Route OO in St. Genevieve County;

(4) Prohibits any motor vehicle from operating in the commercial zone of the City of St. Joseph with a weight greater than 22,400 pounds on one axle or a height over 15 feet;

(5) Allows the Second State Capitol Commission to control copyrights and trademarks for any photograph, written work, art object, or any product created of the Capitol or Capitol grounds by granting access or use of the work. Any money received

must be deposited into the Capitol Commission Fund to be used for repairs, refurbishment, or creation of decorations or adornments for the Capitol or its grounds;

(6) Renames the Division of Facilities Management to the Division of Facilities Management, Design, and Construction and expands its responsibilities to include the supervision of any design, construction, renovation, or repair of state facilities;

(7) Requires that an open bidding process be used for all projects in excess of \$100,000. For projects costing between \$25,000 and \$100,000, a minimum of three contractors must be solicited with the contract awarded to the lowest, responsive, responsible bidder;

(8) Prohibits the total expenditure per project on job order contracts from exceeding \$300,000; and

(9) Specifies that the provisions of Sections 8.285 - 8.291, RSMo, on contracts for architectural, engineering, and land surveying services will not apply to any political subdivision which adopts a qualification-based selection procedure commensurate with state policy.

SCS SB 339 — FAIRNESS IN PUBLIC CONSTRUCTION ACT

This bill establishes the Fairness in Public Construction Act to fulfill the state's proprietary objectives by maintaining and promoting economical, nondiscriminatory, and efficient expenditures of public funds in connection with publicly funded or assisted construction projects.

Public entities cannot impose certain labor requirements as a condition for performing public works projects if the construction project is more than 50% funded with state moneys. Public entities contracting for public works projects must ensure that their agreements do not bind the other parties to an agreement with a labor organization and cannot discriminate against other parties who refuse to adhere to agreements with labor organizations on the same or related projects. Public entities cannot require other parties to enforce any agreement that requires its employees to become a member, pay dues, or pay fees to a labor organization in excess of costs already paid. Any interested party has standing to challenge an agreement that violates these provisions.

The bill specifies conditions upon which the state or a political subdivision may enter into a union-only project labor agreement. The intent to enter into a union-only project labor agreement will be published in a document titled "Intent to Enter Into a Union Project Labor Agreement." A public hearing must be conducted by the state or political subdivision on whether to require a union-only project labor

agreement. A finding is appealable to the Labor and Industrial Relations Commission, and any aggrieved party from the commission's decision may appeal to the circuit court of Cole County. If the commission determines that a complaint is frivolous or exhibits a pattern of harassment on the part of the filing party, the commission may disallow the party from filing further complaints for up to one year.

An employer is prohibited from directly or indirectly receiving from another project any wage subsidies, bid supplements, or rebates from any employee or labor organization for a construction project or from any third party to subsidize labor costs on a public works construction project. An employer lawfully receiving a wage subsidy, bid supplement, or rebate payment must report the payment amount, within 30 days of its receipt, to the contracting public entity. This provision, if in conflict with the National Labor Relations Act, will not be enforced. Any contractor or subcontractor who violates these provisions will be required to pay the public body twice the amount of the subsidy received.

The amount an employer will be penalized for paying a worker less than the stipulated wage rate is increased from \$10 per employee per day to \$100 per employee per day. The Department of Labor and Industrial Relations is required to investigate any violation of the prevailing wage law and notify the offending employer of its findings. The employer can pay the penalty within 45 days of the notice or seek arbitration. The department will enforce monetary penalties and recover the actual costs of enforcement.

The remedies specified in the bill do not prevent an employee from pursuing an individual action against an employer.

SB 352 — EMERGENCY VEHICLES

Currently, drivers must yield the right-of-way upon the immediate approach of certain emergency vehicles with an audible siren or with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet or a flashing blue light as authorized by Section 307.175, RSMo. This bill adds any vehicle operated by a conservation agent as an emergency vehicle for which drivers must yield the right-of-way.

CCS HCS SB 376 — SCHOOL ATTENDANCE IN INCLEMENT WEATHER AND TOURISM SUPPLEMENTAL REVENUE FUND

This bill allows school districts that canceled classes for weather-related reasons between January 11 to January 22, 2007, to not make up the lost time. The requirement for scheduling two-thirds of the missed

days into next year's school calendar is waived for the 2007-2008 school year.

The expiration date on the Division of Tourism Supplemental Revenue Fund is extended from June 30, 2010, to June 30, 2015.

The bill contains an emergency clause.

HCS SCS SB 384 — STOLEN LICENSE PLATE TABS AND DECEPTIVE BUSINESS PRACTICES

This bill changes the requirements for the replacement of stolen license plate tabs. Until January 1, 2009, an individual can receive up to two sets of license plate tabs per year by submitting a notarized affidavit to the Department of Revenue that the license plate tab or tabs were stolen. After January 1, 2009, an individual must submit a copy of the police report to receive the replacement tabs.

A license plate can be encased in a transparent cover if the plate is plainly visible and its reflective qualities are not impaired.

Donation receptacles for unwanted household items placed by a for-profit entity or person are required to display on the receptacle that the donations are not for charitable organizations and will be resold for profit. A violation of this provision will be considered an unfair business practice under Section 407.020, RSMo. This provision will not apply to paper, glass, or aluminum products that are donated for recycling.

The provisions regarding stolen license plate tabs contain an emergency clause.

SS#6 SCS SB 389 — HIGHER EDUCATION

This bill changes the laws regarding higher education and the powers of the Missouri Higher Education Loan Authority (MOHELA).

LEWIS AND CLARK DISCOVERY INITIATIVE

MOHELA is authorized to transfer assets, as specified in the bill, to the newly created Lewis and Clark Discovery Fund. MOHELA must distribute \$350 million of its assets to the fund no later than September 30, 2013, and moneys in the fund may be appropriated by the General Assembly only for capital projects at public colleges and universities and to the Missouri Technology Corporation to identify opportunities for commercializing technologies at these institutions. Any college or university that knowingly employs a registered sexual offender will be ineligible for capital projects funds.

After an initial distribution of \$230 million to the fund, the Department of Economic Development will allocate a percentage, within the limits specified in the bill, of the state ceiling for private activity bonds to MOHELA for at least the next 15 years. If the total distribution of assets is not completed by

MOHELA by September 30, 2013, the ceiling dollar amount received by MOHELA will be reduced by the percentage of the \$350 million not yet distributed. MOHELA moneys cannot be used to pay state debts. Immunity from personal liability is granted to members of MOHELA for certain decisions. MOHELA is authorized to issue bonds to fulfill its obligations regarding the transfer of assets to the fund and may establish or invest in financial aid programs that provide student grants and scholarships.

SCHOLARSHIPS

The Coordinating Board for Higher Education will implement the need-based Access Missouri Financial Assistance Program to replace the current Charles Gallagher Student Assistance Program and the Missouri College Guarantee Program. Applicants must be Missouri residents who are United States citizens or permanent residents enrolled as full-time students in an approved public or private institution. In order to renew assistance, the applicant must have at least a 2.5 grade point average on a 4.0 scale. The minimum and maximum amount of the award will be \$300 to \$1,000 for public two-year institutions; \$1,000 to \$2,150 for public four-year institutions; and \$2,000 to \$4,600 for private institutions. The award is based on the expected family contribution rather than the cost of attendance at any individual institution and will be adjusted every three years based on the federal Consumer Price Index. Students and institutions must report any other assistance to the board. A recipient of financial assistance may transfer between approved institutions without losing eligibility, and the board will adjust the award accordingly.

The bill establishes the Missouri Teaching Fellows Program and specifies that certain qualified graduates of Missouri public higher education institutions who are hired to teach in a school district that is not accredited may enter into a loan repayment agreement with the Department of Higher Education. Students without educational loans may receive a stipend. The \$5,000 maximum and the final year's \$1,000 stipend will be adjusted annually based on the federal Consumer Price Index. The department will establish rules including, but not limited to, applicant eligibility, selection criteria, and the content of loan repayment contracts. The department will create and maintain a coordinator position to identify, recruit, and select potential students for the program.

Bright Flight scholarships are increased from \$2,000 to \$3,000 beginning with Fiscal Year 2011. Currently, only students with standardized test scores in the top 3% qualify for the scholarship. Beginning with Fiscal Year 2011, students with scores between the top 3% and 5% will qualify for a \$1,000 scholarship.

Any award of assistance, excluding student loans

and awards based solely on academic performance, will be reduced to ensure that no student's need-based aid will exceed the student's cost of attendance. An institution accepting financial assistance in excess of the cost of attendance must refund the excess to the board.

HIGHER EDUCATION STUDENT FUNDING

The bill establishes the Higher Education Student Funding Act which requires, beginning with the 2008-2009 academic year, each public institution to submit its percentage increase in tuition for a full-time resident undergraduate to the board by July 1. For institutions whose tuition is greater than the average tuition, the percent change in tuition cannot exceed the percent change of the federal Consumer Price Index over the past year or zero, whichever is greater. For institutions whose tuition is less than the average tuition, the dollar increase in tuition cannot exceed the product of zero or the percent change in the index, whichever is greater, times the average tuition. Limits on tuition increases do not apply to a community college unless the college's tuition is greater than or equal to the average tuition. If the tuition increase exceeds the limit, the institution must remit 5% of its current state appropriation to the board for deposit into the General Revenue Fund, unless the institution asks for a waiver within 30 days. The Commissioner of Higher Education will determine if the waiver is warranted or recommend to the board that the waiver be denied. The board will make the final decision.

Two institutional performance measures negotiated by each institution and three statewide performance measures developed by the department must be established by July 1, 2008. Public higher education institutions must make pertinent course and instructor information available on their web sites.

JOINT COMMITTEE ON EDUCATION

The Joint Committee on Education must meet at least twice a year and will monitor and analyze higher education, as well as establish the performance measures required by the bill and report its findings to the General Assembly and the Governor. The Department of Economic Development is added to the list of state agencies which are required to provide research assistance to the committee. Within three years, the committee will review the impact of the newly created higher education funding provisions and a new model for the funding of higher education institutions.

MISCELLANEOUS PROVISIONS

If a public higher education institution willfully disregards a coordinating board policy, the commissioner may fine the institution up to 1% of

its current state appropriation. The board will hold the funds until the violation is corrected. If the violation is not corrected within a year, the fine will be deposited into the General Revenue Fund. The institution may appeal to the board, which will make the final decision. Every public higher education institution must submit to binding dispute resolution involving jurisdictional boundaries or the use of state resources. The arbitrator will be the commissioner or a designee. Any institution may appeal the decision to the board, which has the authority to make a final decision.

Currently, the board issues certificates of approval to operate to out-of-state public higher education institutions which meet certain standards. These institutions will be exempt from the certificate of approval as of July 1, 2008. The board must hold out-of-state institutions to requirements similar to public in-state institutions, and the board must establish rules for this provision by July 1, 2008.

A public college or university cannot reject an applicant for a faculty position based solely on the lack of a graduate degree if the applicant has an undergraduate degree and has served at least eight years in the General Assembly.

The curators of the University of Missouri may close certain financial, legal, and tax records of a donor or potential donor.

In order to receive increases in state appropriations, two- and four-year public institutions must work with the commissioner to establish agreed-upon competencies for certain entry-level courses. The board will establish policies to ensure the transferability of the courses, and the Department of Elementary and Secondary Education will align the statewide assessments with the competencies.

The board of regents of Northwest Missouri State University is authorized to convey certain property in Nodaway County.

The provisions regarding the Access Missouri Financial Assistance Program and the Missouri Teaching Fellows Program will expire six years from the effective date.

SCS SB 397 — LONG-TERM CARE FACILITIES LICENSURE REQUIREMENTS

This bill requires a signature on all documents for a long-term care facility license application to ensure that the documents are true and correct but no longer requires either affidavits or certified copies of certain documents.

CCS#2 HCS#2 SB 406 — EMPLOYEE BENEFIT PLANS

This bill changes the laws regarding employee benefit plans. In its main provisions, the bill:

(1) Changes the amount in a member's defined contribution account from \$5,000 or less to \$1,000 or less which members of the County Employees' Retirement System who terminate employment must have to receive an automatic lump sum distribution;

(2) Specifies that any member who retires from the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City due to completing at least 25 years of service, reaching mandatory retirement age, or sustaining a permanent disability prior to August 28, 2001, will receive a monthly equalizing supplemental compensation of \$10. Currently, members are entitled to a supplemental retirement benefit of \$50 per month in addition to the base benefit and cost-of-living increases. The supplemental compensation may be adjusted by cost-of-living increases annually, but the total of both cannot exceed 25% of the member's base pension. The term "member" includes the surviving spouse of a member who qualifies under this provision;

(3) Specifies that certain conditions of cancer will be presumed to be suffered in the line of duty for the purpose of computing retirement benefits for firefighters under certain conditions;

(4) Authorizes the City of Springfield to impose, upon voter approval, a sales tax of up to 1% for the purpose of public safety operations including pension and health care programs;

(5) Allows the Missouri State Employees' Retirement System (MOSERS) and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System (MPERS) retirement boards to establish rules to accommodate changes in the state's payroll system relating to the final average compensation for the retirement benefit calculation;

(6) Requires the Missouri Consolidated Health Care Plan (MCHCP) to offer all qualified state employees and retirees the option of receiving health care coverage through a high-deductible plan combined with a health savings account beginning with the open enrollment period in 2009;

(7) Allows a member of MCHCP to add an eligible dependent to his or her coverage if the dependent terminates employment or the dependent's health care benefits were terminated by his or her employer. The dependent must have had continuous coverage for 12 months prior to the termination of his or her health care coverage;

(8) Allows any member of MPERS to purchase up to four years of his or her prior creditable service as a nonfederal, full-time public employee if he or she is not receiving or eligible to receive credits or benefits from any other public plan for the service being purchased. Any MPERS member who is entitled to a deferred annuity will not be eligible to purchase any service;

(9) Adds one new member to the board of trustees of MPERS. Currently, the retired employees of the Department of Transportation together with the civilian or uniformed highway patrol select one member to the board. Each group will now be allowed to elect one board member;

(10) Clarifies the benefit amount payable to an ex-spouse when a division of benefits order has been issued and the ex-spouse is also the named beneficiary of a joint and survivor option under MOSERS and MPERS. The division of benefits order will be applied to either the plan the member was participating in on the date of the dissolution or the Year 2000 Plan;

(11) Authorizes MOSERS to provide services in connection with medical benefit funds established for state employees, retirees, and their dependents participating in the state medical plan administered by MCHCP or any other medical benefit plan for state employees, retirees, and their dependents. MOSERS will invest the funds received from the state medical plans in the same manner as it invests the funds of the retirement system. All assets of the fund will be exclusively used for satisfying obligations of the state medical plans and to pay for medical benefits of state employees, retirees, and their covered dependents;

(12) Removes the provision which allows a member of MOSERS to purchase service that was performed under contract for the State of Missouri;

(13) Clarifies that members cannot receive credit for the same period of service in more than one retirement system;

(14) Specifies that after August 28, 2007, part-time employees of the General Assembly working less than 1,040 hours per year will not be considered employees as it relates to retirement benefits;

(15) Changes the required hours for an employee to be eligible for benefits from 1,000 to 1,040 hours;

(16) Specifies that if a retiree of MOSERS who has elected a joint and survivor option dies prior to notifying the system of the spouse's death, his or her benefit will not revert to a normal annuity and no retroactive payments will be made;

(17) Requires members of MOSERS or MPERS to complete the purchase of creditable service prior to applying for retirement benefits. Transferring vested service from another public employee retirement

system to the Year 2000 Plan requires that the plans enter into an agreement;

(18) Allows employees who were transferred from the Division of Motor Carrier Services, Highway Reciprocity, and the Department of Natural Resources to the Motor Carrier Services Division in the Department of Transportation to transfer their creditable service from MOSERS to MPERS. The decision to transfer must be made in writing within 60 days of August 28, 2007;

(19) Specifies that if the board of MOSERS or MPERS provides education or advice to members regarding retirement planning, it will not be liable for retirement or investment decisions made by members if the board acted with due diligence in providing the advice;

(20) Changes the vesting requirement for service purchase transfers for legislators from two to three full biennial assemblies;

(21) Clarifies that any temporary annuity payable to a retiree under the Year 2000 Plan will terminate no later than when he or she reaches 62 years of age;

(22) Clarifies that retirees under the Year 2000 Plan can retain optional life insurance coverage in excess of \$60,000 until they reach 62 years of age;

(23) Requires that retirees under the MOSERS Closed Plan and the Year 2000 Plan who are re-employed with the state in a position normally requiring them to work at least 1,040 hours per year must work continuously for at least one year in order to accrue creditable service for retirement purposes;

(24) Transfers, beginning August 28, 2007, the administration of the Missouri State Public Employees Deferred Compensation Fund from the Missouri State Public Employees Deferred Compensation Commission to the board of trustees of MOSERS;

(25) Lowers the contribution period from 40 to 30 years for which plans may not exceed unfunded accrued liabilities;

(26) Requires retirement systems to establish mandatory board member education programs regarding responsibilities, ethics, governance, plan design, administration of benefits, investments, legal liability, and actuarial principles. Board members will be required to attend at least two continuing education programs each year;

(27) Prohibits appointing authorities, board members, or employees from receiving a gain or profit from funds or transactions of the plan except benefits which are common to all members of the plan. If political contributions or other compensations are accepted to influence the investment of system funds, the person will forfeit his or her office and be subject to the penalties for bribery;

(28) Specifies that any trustee, employee, or plan participant convicted after August 28, 2007, of a plan-related felony directly connected with his or her duties will be ineligible for retirement benefits;

(29) Prohibits, after August 28, 2007, plans with a fund ratio of less than 80% from providing additional benefits. Plans with a fund ratio greater than 80% can adopt benefit enhancements if the ratio does not decrease below 75%. The unfunded actuarial accrued liabilities associated with these benefit changes will be amortized over a period not to exceed 20 years;

(30) Requires a plan, after August 28, 2007, with a fund ratio of less than 60% that has not met 100% of the actuarially required contribution payment for five successive plan years, to be deemed delinquent in the contribution payment which will constitute a first lien on the funds of the political subdivision. This will not apply to the Public School Retirement System or the Public Education Employee Retirement System of Missouri. Until the delinquency in the contribution payment is satisfied, the State Treasurer and Director of the Department of Revenue will withhold 25% of all moneys due the political subdivision from the state;

(31) Extends the election date of a certain retirement option under the Public School Retirement System of Missouri from July 1, 2008, to July 1, 2013;

(32) Allows the board of trustees of the Public School Retirement System of the City of St. Louis, at its discretion, to increase benefits for retired members if the additional benefit will not require an increase in the contribution rate;

(33) Requires the Public School Retirement System when calculating a member's final average salary to disregard any increase in compensation in excess of 10% from one year to the next in the final average salary period. This limit will not apply to increases because of a change in position or those required by state statute or district-wide salary schedule adjustments;

(34) Allows juvenile officers in single county circuits to receive creditable prior service in MOSERS for employment as a juvenile court employee prior to July 1, 1999, if the service is not credited in a county retirement plan; and

(35) Requires a separate board of trustees to administer a fire protection district's retirement plan rather than the district's board of directors. The board of trustees will include the three-member board of directors and two pension plan participants chosen by the board of directors from a list of three individuals elected by plan members.

SB 407 — PUBLIC WATER SUPPLY DISTRICTS

This bill allows a public water supply district to contract with another water district or municipality to sell water in the other entity's service area.

CCS HCS SB 416 — ADVERSE POSSESSION OF CERTAIN LANDS

This bill prohibits the use of adverse possession to acquire lands belonging to rural electric cooperatives or nonprofit corporations that provide electrical service under Section 394.200, RSMo.

If all parties to a boundary dispute over a water service area or an electrical service area agree to a settlement, the requirement that the Missouri Public Service Commission hold hearings on the territorial dispute is waived. The commission may hold hearings based on complaints filed by any party to a boundary dispute and on its own motion involving applications, complaints, and petitions.

SCS SB 418 — SUPPLEMENTAL NURSING CARE PROGRAM

Currently, the Supplemental Nursing Care Program provides a monthly payment of up to \$25 for the personal care needs of a person 65 years of age or older who is disabled or blind and has limited financial resources and is in a residential care or skilled nursing facility. This bill increases that payment to always equal the current vendor nursing facility personal needs allowance provided by the Missouri Medicaid Program. The current Medicaid allowance is \$30 per month.

SCS SB 420 — CLEAN WATER COMMISSION

This bill increases from three to four the number of members of the Clean Water Commission that can be from the same political party.

SB 433 — UNEMPLOYMENT COMPENSATION FOR CERTAIN VETERANS

To qualify for unemployment compensation benefits, this bill requires that a war on terror veteran must be a Missouri resident immediately before deployment, be a member of the Missouri National Guard or a United States reservist, and be found by a court of competent jurisdiction to have been discharged or laid off from nonmilitary employment during deployment or within 30 days after the completion of his or her deployment. Benefit computations will be based on the veteran's wages in the five completed calendar quarters immediately before the deployment instead

of annually adjusted based on the federal Consumer Price Index.

The Division of Employment Security within the Department of Labor and Industrial Relations is allowed to recoup erroneously paid benefits, and the penalty for an employer who takes adverse employment action against a veteran is increased from \$25,000 to \$35,000.

SCS SB 456 — PAYMENTS TO SCHOOL DISTRICTS

This bill requires the Department of Elementary and Secondary Education to pay a supplemental amount to any school district in a county that established a county municipal court after January 1, 2006, which causes a decrease in the amount the district receives from fines in the current year from the amount the district received in Fiscal Year 2005. Currently, this will only affect certain school districts in St. Charles County.

HCS SCS SB 497 — COUNTIES

This bill changes the laws regarding counties. In its main provisions, the bill:

(1) Requires the public administrator to follow the specified procedures for taking charge of moneys or property from a deceased person's estate when delivered to the public administrator by the county coroner;

(2) Changes the deadline for county commissions to receive proposals and publicly open bids from banks regarding the selection of the depository of county funds from April 1 of each year to any date on or before the first Monday of July in the year for which a bid is requested;

(3) Specifies that any transportation sales tax approved on or after August 28, 2007, by the voters in either the City of St. Louis or St. Louis County will not require approval in both jurisdictions to become effective; and

(4) Requires Jackson County to establish a tax maintenance fund that is funded by an additional 1% fee on the collection of delinquent and back taxes to be used for the administrative and operational costs of the collector.

SB 513 — NURSING STUDENT LOAN PROGRAM

This bill revises the definition of "qualified employment" as it relates to the Professional and Practical Nursing Student Loan Program to include any agency, institution, or organization located in an area of need as determined by the Department of Health and Senior Services.

CCS HCS SS SCS SB 577 — MO HEALTHNET PROGRAM

This bill changes the laws regarding the state medical assistance program, known as the Missouri Medicaid Program, including changing its name to the MO HealthNet Program.

STATE LEGAL EXPENSE FUND

Physicians, dentists, podiatrists, chiropractors, nurses, optometrists, psychologists, professional counselors, social workers, and pharmacists who provide specialty care without compensation and who were referred by their city or county health department, city health department operating under a city charter, combined city-county health department, a nonprofit community health center, or any social welfare board established under Section 205.770, RSMo, are included in the list for whom the State Legal Expense Fund is available. The fund is not available to a physician who performs an abortion procedure.

Any claim or judgment arising from these provisions is limited to a maximum of \$1 million based upon the same act or acts in a single cause of action and \$1 million for any one claimant. Liability or malpractice insurance will not be considered available to pay any portion of the judgment when the fund is liable.

INCOME TAX DEDUCTION FOR LONG-TERM CARE INSURANCE

Beginning January 1, 2007, the bill authorizes an income tax deduction for 100% of the nonreimbursed qualified long-term care insurance premiums paid by the taxpayer to the extent the amount is not already included in the taxpayer's itemized deductions.

HEALTHCARE ACCESS

The Missouri Healthcare Access Fund is created, subject to appropriations, to expand health care services in state and federally designated areas with health care shortages. The Department of Health and Senior Services is authorized to designate eligible facilities in an area of defined need and is required to re-evaluate eligible facilities every six years. Beginning January 1, 2007, individuals making a donation in excess of \$100 to the fund will be eligible for an income tax credit.

Psychiatrists and psychologists, as defined in Section 632.005, and psychiatrists, psychologists, and other mental health providers, professional counselors, and social workers licensed under Chapter 337 are added to the list of providers who are allowed to receive enhanced payments from the Health Access Incentive Fund in designated shortage areas.

MO HEALTHNET FRAUD AND ABUSE

The bill:

(1) Expands the definition of “health care provider” to include any employee, representative, or subcontractor of the state;

(2) Increases the penalty for making a false statement to a class C felony for a first conviction and a class B felony for a subsequent conviction. A person who attempts to or willfully prevents, obstructs, misleads, or delays the communication of information relating to a violation will be guilty of a class D felony;

(3) Specifies that any person who is the original source of information regarding a violation will receive 10% of any recovery unless he or she participated in the fraud or abuse;

(4) Prevents an employer from discriminating against an employee for participating in a court action relating to a violation unless the employee filed a frivolous claim, participated in the violation, or is convicted of criminal conduct related to the violation;

(5) Requires the Office of the Attorney General and the Department of Social Services to report information regarding violations of the fraud statutes to the Governor and General Assembly by January 1, 2008, and annually thereafter;

(6) Requires the State Auditor to complete a financial audit of the MO HealthNet fraud unit within the Office of the Attorney General and the program integrity unit within the Department of Social Services;

(7) Creates the crime of knowingly destroying or concealing records of claims submitted or payments received for the previous five years. Any person committing this crime will be guilty of a class A misdemeanor;

(8) Creates the crime of intentionally filing a false report or claim of alleged violations. Any person committing this crime will be guilty of a class A misdemeanor for the first offense and a class D felony for any subsequent offense;

(9) Creates the crime of receiving compensation for failure to report violations. Any person committing this crime will be guilty of a class D felony; and

(10) Renames the Medicaid Fraud Reimbursement Fund to the MO HealthNet Fraud Reimbursement Fund and allows the moneys to be used for increasing MO HealthNet provider reimbursements until the average provider reimbursement equals the average federal Medicare Program provider reimbursement for comparable services.

CHRONIC KIDNEY DISEASE TASK FORCE

The Chronic Kidney Disease Task Force is established to educate the public and health care

professionals about early screening, prevention, diagnosis, treatment, and complications of chronic kidney disease. The task force must submit a report of its findings and recommendations to the General Assembly within one year of the first task force meeting.

ASSISTED LIVING FACILITIES

Assisted living facilities are required to immediately implement any physician order and, within 24 hours, review and update a resident's care plan when the resident returns from a hospital or skilled nursing facility.

MISAPPROPRIATION OF FUNDS

The bill specifies that a person assuming the responsibility of managing the financial affairs of an elderly person is guilty of misappropriation of funds for failure to pay for the care of an elderly or disabled person.

TICKET TO WORK HEALTH ASSURANCE PROGRAM

The bill establishes the Ticket to Work Health Assurance Program which requires the Department of Social Services to determine the eligibility of an employed disabled person requesting medical assistance whose family gross income is less than 250% of the federal poverty level. The bill:

(1) Requires that an individual meet the definition of a disabled person under the federal Supplemental Security Income Program or of an employed individual with a medically improved disability under the federal Ticket to Work and Work Incentives Improvement Act of 1999 to qualify for assistance;

(2) Requires an individual whose net income does not exceed the limit for permanent and total disability to receive non-spenddown MO HealthNet benefits;

(3) Requires any participant whose gross income exceeds 100% of the federal poverty level to pay a premium for participation in the program;

(4) Requires an individual to participate in an employer-sponsored health insurance plan if the department determines that it is more cost effective;

(5) Exempts any income earned through certified extended employment at a sheltered workshop for the purpose of determining eligibility; and

(6) Exempts medical savings accounts and independent living accounts not exceeding \$5,000 from the asset limits for eligibility.

MISSOURI CONTINUING HEALTH IMPROVEMENT ACT

The bill:

(1) Establishes the Missouri Continuing Health Improvement Act and changes the name of the Division of Medical Services within the Department of Social Services to the MO HealthNet Division;

(2) Extends the eligibility for health insurance for a drug court participant to 60 days from the time his or her dependent child is removed from his or her custody, subject to the approval of the federal Centers for Medicare and Medicaid Services;

(3) Expands coverage to include independent foster care adolescents younger than 21 years of age without regard to income or assets;

(4) Adds hospice services to the list of covered services and adds durable medical equipment, dental services, and optometry to the list of covered benefits when it is based on a medical necessity;

(5) Requires the division to establish by July 1, 2008, a four-year plan to increase the MO HealthNet provider reimbursement rates to the federal Medicare Program rates;

(6) Requires the division to develop pay-for-performance program guidelines;

(7) Specifies that any Social Security cost-of-living increase will be disregarded as income until the federal poverty level for the year is implemented;

(8) Specifies that if a MO HealthNet recipient prepays his or her spenddown in cash to the division and subsequently pays a valid out-of-pocket medical bill, the expense will be allowed as a deduction to future required spenddown for up to three months;

(9) Establishes the Professional Services Payment Committee to monitor the pay-for-performance program;

(10) Establishes, subject to appropriation and approval by the MO HealthNet Oversight Committee, a premium offset program pilot project in one urban and one rural area of the state. Qualified individuals must be uninsured for one year and must have an income of less than or equal to 185% of the federal poverty level. No employer will be allowed to participate in the pilot project for more than five years;

(11) Allows certain income from annuity investments to be excluded when determining MO HealthNet eligibility;

(12) Establishes rules for personal care contracts which will not cause an institutionalized individual to be ineligible for federal Medicare Program benefits based on an improper transfer of assets;

(13) Specifies the department's rights to third-party benefits;

(14) Requires compliance with the federal Health Insurance Portability and Accountability Act;

(15) Establishes the Public Assistance Beneficiary Employer Disclosure Act which requires the department to submit the Missouri Health Care Responsibility Report quarterly to the Governor and requires applicants for MO HealthNet benefits to disclose their employer;

(16) Requires the departments of Social Services, Mental Health, and Health and Senior Services to collaborate in addressing common problems of the elderly;

(17) Changes the eligibility requirement for the State Children's Health Insurance Program and specifies that the program will remain in effect only if the federal government appropriates funds;

(18) Changes affordability requirements for uninsured children without access to affordable health care. Health insurance plans that do not cover a child's pre-existing condition are not considered affordable employer-sponsored health care insurance. A child is also considered uninsured under these provisions when the child exceeds the annual coverage limits for all health care services;

(19) Changes the eligibility requirements for the Uninsured Women's Health Program to include a woman at least 18 years of age with a net family income at or below 185% of the federal poverty level who has assets of less than \$250,000 and no access to employer-sponsored health insurance;

(20) Allows the use of telehealth services in the MO HealthNet Program;

(21) Establishes the Missouri Long-term Care Partnership Program Act which provides incentives for individuals to purchase insurance for their long-term care needs;

(22) Extends the expiration date for consumer-directed personal care services from June 30, 2008, to June 30, 2019;

(23) Requires the Department of Social Services to establish health improvement plans for all participants with the advice and approval of the MO HealthNet Oversight Committee. The health improvement plans will include, but are not limited to, risk-bearing coordinated care plans, administrative services organizations, and coordinated fee-for-service plans;

(24) Requires the development of and enrollment into the health improvement plans to begin July 1, 2008, and be completed by July 1, 2011;

(25) Requires that contracts for risk-bearing coordinated care plans and administrative services organization plans have a financial penalty if quality targets are not met;

(26) Specifies that every program participant will be enrolled in a health improvement plan and be provided a health care home;

(27) Specifies that no aged, blind, or disabled program participant will be required to enroll in a risk-bearing coordination plan;

(28) Requires the department to commission an independent survey to evaluate health and wellness outcomes of program participants and report

the results of the survey within six months to the Governor, General Assembly, and the MO HealthNet Oversight Committee;

(29) Requires the department to use a public process for the design, development, and implementation of health improvement plans;

(30) Requires all health improvement plans to complete a health risk assessment and develop a plan of care for enrolled participants by July 1, 2008;

(31) Requires that there be a competitive bid process for any necessary contracts related to the purchase of products or services required to administer the program;

(32) Establishes the Joint Committee on MO HealthNet to study the resources needed to continue and improve the program;

(33) Establishes the MO HealthNet Oversight Committee to advise the department and study various aspects of the program including, but not limited to, satisfaction reports, pilot project results, and health risk assessment results. The committee must report its findings to the Governor and General Assembly, at least annually, beginning January 1, 2009;

(34) Establishes a subcommittee within the oversight committee to advise the department on the development of a comprehensive entry-point system. The subcommittee is required to report its findings to the Governor and General Assembly by October 1, 2008;

(35) Creates the Health Care Technology Fund to be administered by the Department of Social Services to promote technological advances in health care delivery. The MO HealthNet Oversight Committee must report to the Governor and General Assembly regarding the expenditures of moneys appropriated to the fund by January 1, 2008;

(36) Requires the Legislative Budget Office to conduct a five-year rolling MO HealthNet budget forecast;

(37) Specifies that fee-for-service-policies which prescribe psychotropic medications will not include any new limits to the initial access requirements;

(38) Specifies that there will not be a single, statewide contract for any health improvement plan; and

(39) Abolishes the Medicaid Reform Commission.

The provisions regarding the tax credit for donations to the Missouri Healthcare Access Fund and medical assistance for employed persons with a disability will expire six years from the effective date. The provisions regarding the MO HealthNet Oversight Committee's report on the expenditures of

the Health Care Technology Fund will expire April 15, 2008. The provisions regarding the Chronic Kidney Disease Task Force will expire August 30, 2008. The provisions regarding the premium offset program pilot project will expire June 30, 2011.

The provisions regarding the eligibility of certain foster care participants in the MO HealthNet Program contain an emergency clause.

SS SCS SB 591 — CREDIT UNIONS

This bill changes the laws regarding credit unions. In its main provisions, the bill:

(1) Specifies the geographic area in which a credit union can operate. Credit unions can be formed in a county or within a city not within a county and can expand into counties contiguous to the area;

(2) Prohibits employer groups with 3,000 or more employees from joining an existing credit union unless it is not feasible or reasonable for the group to establish its own single, common-bond credit union;

(3) Requires the Director of the Division of Credit Unions within the Department of Insurance, Financial Institutions, and Professional Registration, within five business days after the expansion of a credit union's membership, to publish the expansion in the division's electronic bulletin instead of the Missouri Register; and

(4) Allows only a person or entity with an interest different from that of a member of the general public who may have been aggrieved by an authorized expansion to contest the decision to the Credit Union Commission. Currently, any person claiming to be adversely affected may challenge an expansion authorization.

HCS SRB 613 — REVISION OF MISSOURI STATUTES

This bill repeals certain provisions of law which have expired, sunset, terminated, or are ineffective as identified by the Joint Committee on Legislative Research.

SUBJECT INDEX OF 2007 TRULY AGREED TO AND FINALLY PASSED HOUSE BILLS AND SENATE BILLS

ABORTION

See also Medical Procedures and Personnel

HCS HB 1055 – Sexual Education and Abortions
CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); State Legal Defense Fund

ADMINISTRATION, OFFICE OF

HB 352 – State Purchasing and Printing
HCS SCS SB 54 – Renewable Energy; Environmental Regulations
HCS SB 322 – Construction-related Activities; Commercial Zones; State Buildings

ADMINISTRATIVE LAW

SS SCS HCS HB 583 – Crime Victims: Crime Victims' Compensation
CCS SS SCS HCS HB 780 – Professional Registration
SCS SB 66 – Insurance
CCS#2 HCS SCS SB 308 – Licensed Professionals

ADMINISTRATIVE RULES

HB 686 – Nursing Home Administrators' Rule-making Authority
HCS SB 270 – Peace Officer Standards and Training Commission

AGRICULTURE AND ANIMALS

HCS HB 272 – Official State Reptile
SS SCS HCS HB 327 – Economic Development; Hunting Heritage Protection Areas Act
HB 344 – Field Crop Damage
HB 351 – Official State Invertebrate
HB 576 – Official State Game Bird
SS HCS HB 741 – Economic Development Programs
CCS HCS SS SCS SB 22 – Political Subdivisions
HCS SCS SB 198 – Use of Lands
SS SCS SB 225 – Hunting Heritage Protection Areas Act

AGRICULTURE DEPARTMENT

HB 62 – George Washington Carver Building
SCS HCS HB 426 – Propane Safety
SS HCS HB 741 – Economic Development Programs
HCS SS SCS SB 320 – Large Animal Veterinary Student Loan Assistance

AIRCRAFT AND AIRPORTS

See also Motor Vehicles; Transportation
SS SCS HCS HB 327 – Economic Development; Tax Exemptions
SCS HCS HB 619 & 118 – Civil Air Patrol

CCS HCS SS SCS SB 22 – Political Subdivisions
CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms

ALCOHOL

See also Drunk Driving/Boating; Licenses - Liquor and Beer

CCS HB 574 – Law Enforcement
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

AMBULANCES AND AMBULANCE DISTRICTS

See also Emergencies

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
CCS HCS SS SCS SB 22 – Political Subdivisions
HCS SCS SB 47 – Fire Protection; Volunteer Emergency Response Personnel; Ambulance Service

ANNEXATION

HCS HB 459 – Municipal Land Transfers
CCS HCS SS SCS SB 22 – Political Subdivisions

APPRAISERS

HCS SCS SB 272 – Professional Registration

APPROPRIATIONS

CCS SCS HB 1 – Board of Fund Commissioners; Issuing and Processing Certain Bonds
CCS SCS HCS HB 2 – Elementary and Secondary Education
CCS SCS HCS HB 3 – Higher Education
CCS SCS HCS HB 4 – Revenue; Transportation
CCS SCS HCS HB 5 – Office of Administration
CCS SCS HCS HB 6 – Agriculture; Natural Resources; Conservation
CCS SCS HCS HB 7 – Economic Development; Insurance, Financial Institutions, and Professional Registration; Labor and Industrial Relations
CCS SCS HCS HB 8 – Public Safety
CCS SCS HCS HB 9 – Corrections
CCS SCS HCS HB 10 – Mental Health; Health and Senior Services
CCS SCS HCS HB 11 – Social Services
CCS SCS HCS HB 12 – Statewide Elected Officials; Judiciary; Public Defender; General Assembly
CCS SCS HCS HB 13 – Real Property Leases and Related Services
CCS SCS HCS HB 14 – Supplemental Appropriations
HB 15 – Supplemental Appropriations for Social Services
SS SCS HCS HB 16 – Supplemental Appropriations (Lewis and Clark Discovery Funds)
SCS HCS HB 17 – Reappropriation of Capital Improvements
SCS HCS HB 18 – Capital Improvements

SS HB 134 – Equipment Grants for University of Missouri Engineering Programs
CCS HCS SB 376 – Tourism Supplemental Revenue Fund

ARCHITECTS

CCS SS SCS HCS HB 780 – Professional Registration
HCS SCS SB 272 – Professional Registration
CCS#2 HCS SCS SB 308 – Licensed Professionals

ARTS AND HUMANITIES

See also Historic Preservation; Libraries and Archives; Museums

SS HB 205 – Promotion of Tourism; Theater, Cultural Arts, and Entertainment Districts
SS SCS HCS HB 327 – Economic Development; Tax Credits
CCS SS SCS HCS HB 780 – Professional Registration; Deceptive Business Practices
SCS HCS HB 795 – Local Public Improvements; Theater, Cultural Arts, and Entertainment Districts
CCS HCS SS SCS SB 22 – Political Subdivisions
CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

ATHLETICS. *See Entertainment, Sports, and Amusements*

ATTORNEY GENERAL, STATE

SS SCS HCS HB 583 – Crime Victims
CCS SS SCS HCS HB 780 – Professional Registration
CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Fraud and Abuse

ATTORNEYS

HCS#2 SCS SB 163 – Legal Services; Court Reporters

AUDIOLOGISTS

CCS SS SCS HCS HB 780 – Professional Registration

AUDITOR, STATE

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Fraud and Abuse

BANKS AND FINANCIAL INSTITUTIONS

See also Credit and Bankruptcy; Credit Unions

SS SCS HCS HB 327 – Economic Development
CCS HCS SS SCS SB 22 – Political Subdivisions

BOARDS, COMMISSIONS, COMMITTEES, COUNCILS

SS HB 205 – Promotion of Tourism; Senior Services Tax Commission
SCS HCS HB 298 – Missouri Blasting Safety Act
SS SCS HCS HB 327 – Economic Development
SCS HCS HB 426 – Propane Safety
HCS HB 616 – County Boards of Equalization
SS HCS HB 741 – Economic Development Programs
CCS SS SCS HCS HB 780 – Professional Registration
SCS HCS HB 795 – Local Public Improvements; Senior Services Tax Commission
SS SCS HCS HB 952 & 674 – Long-term Care Facilities

SCS SB 16 – Children's Vision Examinations
CCS HCS SS SCS SB 22 – Political Subdivisions
HCS SCS SB 54 – Renewable Energy; Environmental Regulations

CCS HCS SB 84 – Children
SS SB 195 – Practice of Pharmacy
HCS SB 270 – Peace Officer Standards and Training Commission

HCS SCS SB 272 – Professional Registration
CCS#2 HCS SCS SB 308 – Licensed Professionals
HCS SS SCS SB 320 – Large Animal Veterinary Student Loan Assistance
SS#6 SCS SB 389 – Higher Education; Joint Committee on Education
CCS#2 HCS#2 SB 406 – Employee Benefit Plans
SCS SB 420 – Clean Water Commission
CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

BOATS AND WATERCRAFT

See also Drunk Driving/Boating; Lakes, Rivers and Waterways; Motor Vehicles

HCS SCS SB 198 – Use of Lands

BONDS - GENERAL OBLIGATION AND REVENUE

HB 264 – State Public School Fund
CCS HCS SS SCS SB 22 – Political Subdivisions
SS#6 SCS SB 389 – Higher Education

BONDS - SURETY

See also Liability

SCS HCS HB 329 – Debt Adjusters

BUSES

See also Motor Carriers

SS SCS HCS HB 327 – Economic Development; Tax Exemptions

BUSINESS AND COMMERCE

See also Commercial Code; Consumer Protection; Merchandising Practices

HCS#2 HB 28 – Carriers of Household Goods
HCS HB 221 – Service Contracts
SS SCS HCS HB 327 – Economic Development; Small Business Investment Tax Credits
SCS HCS HB 431 – Business Organizations
CCS SS SCS HCS HB 780 – Professional Registration; Deceptive Business Practices
CCS HCS SCS SB 82 – Motor Vehicles
SCS SB 91 – Emergency Vehicle Dealers
SB 166 – Time-share Promotional Program Notifications
HCS SB 322 – Construction-related Activities; Commercial Zones; State Buildings
HCS SCS SB 384 – Deceptive Business Practices

CEMETERIES

HCS SCS SB 272 – Professional Registration

CHARITIES*See also Religions*

SS HCS HB 453 – Income Tax Credits for Certain Donations
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS#2 HCS SCS SB 86 – Tax Credits for Services for
 Children in Crisis and Residential Treatment Agencies
 CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

CHILDREN AND MINORS*See also Courts, Juvenile; Guardians*

SCS HB 41 – Law Enforcement
 HCS HB 184 – Children's Services Protection Act
 SS HB 205 – Promotion of Tourism; Sales Tax in Perry
 County for Community Programs
 SS HCS HB 453 – Income Tax Credits for Certain Donations
 SS SCS HCS HB 583 – Crime Victims
 SCS HCS HB 795 – Local Public Improvements; Sales Tax in
 Perry County for Community Programs
 SCS SB 16 – Children's Vision Examinations
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 25 – Services for Children and Minors
 CCS HCS SB 30 – Taxation
 CCS HCS SB 84 – Children
 CCS#2 HCS SCS SB 86 – Tax Credits for Services for
 Children
 HCS SS SB 112 – Education
 CCS SB 233 – Local Taxes
 CCS HCS SS SCS SB 577 – Missouri Continuing Health
 Improvement Act (MO HealthNet Program)

CHIROPRACTORS

CCS SS SCS HCS HB 780 – Professional Registration
 HCS SCS SB 272 – Professional Registration
 CCS#2 HCS SCS SB 308 – Licensed Professionals

CIRCUIT CLERK

SS SCS HCS HB 583 – Crime Victims

CITIES, TOWNS, AND VILLAGES*See also Kansas City; Political Subdivisions;
Saint Louis*

HCS#2 HB 28 – Carriers of Household Goods
 SS HB 205 – Promotion of Tourism
 HCS HB 459 – Municipal Land Transfers
 SS HCS HB 741 – Economic Development Programs
 SCS HCS HB 795 – Local Public Improvements
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS HCS SB 81 – Promotion of Local Tourism; Economic
 Development
 CCS SB 233 – Local Taxes
 CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans
 SB 407 – Public Water Supply Districts

CIVIL PENALTIES

CCS SS SCS HCS HB 780 – Professional Registration

COMPACTS*See also Interstate Cooperation*

CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 84 – Children

CONSERVATION DEPARTMENT

CCS HCS SCS SB 82 – Motor Vehicles
 SB 352 – Emergency Vehicles

CONSTITUTIONAL AMENDMENTS

SCS HJR 7 – Language of Official Proceedings

CONSTRUCTION AND BUILDING CODES

HCS SB 322 – Construction-related Activities; Commercial
 Zones; State Buildings

CONSUMER PROTECTION*See also Business and Commerce; Credit and
Bankruptcy*

HCS HB 221 – Service Contracts
 SCS HCS HB 329 – Debt Adjusters
 CCS HCS SCS SB 82 – Motor Vehicles
 SB 166 – Time-share Promotional Program Notifications
 CCS HCS SS SCS SB 577 – Missouri Continuing Health
 Improvement Act (MO HealthNet Program)

CONTRACTS AND CONTRACTORS

HCS HB 221 – Service Contracts
 HB 352 – State Purchasing and Printing
 HCS HB 497 – Physician Assistants
 SS SCS HCS HB 583 – Crime Victims: Minor's Ability to
 Contract
 SCS SB 339 – Fairness in Public Construction Act
 SB 407 – Public Water Supply Districts
 CCS HCS SS SCS SB 577 – Missouri Continuing Health
 Improvement Act (MO HealthNet Program)

CONVEYANCES AND EASEMENTS*See also Mortgages and Deeds; Property, Real and
Personal*

HB 268 – Conveyance in Callaway County
 HB 467 – Conveyance in Pettis County
 SCS HB 684 – Conveyances of Property
 SS SCS HB 740 – Conveyances in Johnson and Nodaway
 Counties
 CCS HCS SS SCS SB 22 – Political Subdivisions
 HCS SCS SB 288, SB 152 & SCS SB 115 – Conveyances of
 Property

COOPERATIVES

CCS HCS SB 416 – Adverse Possession of Certain Lands

CORPORATIONS

SS SCS HCS HB 327 – Economic Development; Establishing
 Nexus for the Purposes of Taxation
 SCS HCS HB 431 – Business Organizations
 CCS HCS SS SCS SB 22 – Political Subdivisions

CORRECTIONS DEPARTMENT*See also Prisons and Jails*

HB 754 – Disbursement of Funds by the Department of Corrections

SS HCS HB 820 – Death Penalty Execution Team

COUNSELING. *See Mental Health*

COUNTIES*See also Jackson County; Political Subdivisions; Saint Louis County*

HCS HB 184 – Children's Services Protection Act

SS HB 205 – Promotion of Tourism

HCS HB 616 – County Boards of Equalization

SCS HCS HB 795 – Local Public Improvements

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SB 30 – Taxation

CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

CCS SB 233 – Local Taxes

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

SCS SB 456 – Payments to Certain School Districts

HCS SCS SB 497 – Counties

COUNTY GOVERNMENT

CCS HCS SS SCS SB 22 – Political Subdivisions

COUNTY OFFICIALS

HCS HB 459 – Municipal Land Transfers

HCS HB 616 – County Boards of Equalization

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SB 30 – Taxation

HCS SCS SB 497 – Counties

COURTS

CCS HB 574 – Law Enforcement

SCS HJR 7 – Language of Official Proceedings

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms

HCS#2 SCS SB 163 – Legal Services; Court Reporters

SCS SB 456 – Payments to Certain School Districts

COURTS, JUVENILE*See also Children and Minors*

CCS HCS SB 84 – Children

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

CREDIT AND BANKRUPTCY*See also Banks and Financial Institutions; Consumer Protection*

SCS HCS HB 329 – Debt Adjusters

CREDIT UNIONS*See also Banks and Financial Institutions*

SS SCS SB 591 – Credit Unions

CRIMES AND PUNISHMENT*See also Victims of Crime*

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act

SS SCS HCS HB 583 – Crime Victims

HCS HB 654 & 938 – Veterans' Programs; Stolen Valor Act; Property Tax Exemptions

SS HCS HB 820 – Death Penalty Execution Team

CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

HCS SCS SB 198 – Use of Lands; Distribution of a Controlled Substance near a Park

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Fraud and Abuse

CRIMINAL PROCEDURE*See also Evidence; Victims of Crime*

CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms

DISABILITIES*See also Guardians*

SS SCS HCS HB 327 – Economic Development; Tax Credits

HB 352 – State Purchasing and Printing

SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 – Income Taxation

CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse

CCS HCS SCS SB 82 – Motor Vehicles

CCS HCS SB 84 – Children

HCS SS SB 112 – Education

SCS SB 418 – Supplemental Nursing Care Program

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

DOMESTIC RELATIONS*See also Marriage and Divorce*

SS SCS HCS HB 583 – Crime Victims

DRAINAGE AND LEVEE DISTRICTS*See also Water Resources and Water Districts*

SS SCS HCS HB 327 – Economic Development

CCS HCS SS SCS SB 22 – Political Subdivisions

DRUGS AND CONTROLLED SUBSTANCES*See also Pharmacy*

HCS SCS SB 198 – Use of Lands; Distribution of a Controlled Substance near a Park

DRUNK DRIVING/BOATING*See also Alcohol; Boats and Watercraft; Licenses-Liquor and Beer*

CCS HB 574 – Law Enforcement

ECONOMIC DEVELOPMENT*See also Enterprise Zones*

SS SCS HCS HB 327 – Economic Development

SS HCS HB 741 – Economic Development Programs

CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

ECONOMIC DEVELOPMENT DEPARTMENT

SS SCS HCS HB 327 – Economic Development; Distressed Areas Land Assemblage Tax Credit Act
 CCS HCS SB 376 – Tourism Supplemental Revenue Fund
 SS#6 SCS SB 389 – Higher Education

EDUCATION, ELEMENTARY AND SECONDARY

See also Teachers

HCS HB 181 – Electronic Video Instructional Materials
 SS SCS HCS HB 327 – Economic Development; Tax Exemptions
 SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 – Income Taxation
 HB 554 – Discrimination Against Licensed Professional Counselors
 HCS HB 678 – School Attendance in Inclement Weather
 HCS HB 1055 – Sexual Education and Abortions
 SCS SB 16 – Children's Vision Examinations
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS#3 HCS SCS SB 64 – Elementary and Secondary Education
 HCS SS SB 112 – Education
 CCS HCS SB 376 – School Attendance in Inclement Weather
 SS#6 SCS SB 389 – Higher Education

EDUCATION, HIGHER

SS HB 134 – Equipment Grants for University of Missouri Engineering Programs
 HCS HB 181 – Electronic Video Instructional Materials
 SS SCS HCS HB 327 – Economic Development; New Jobs Training Program
 HCS SS SCS SB 320 – Large Animal Veterinary Student Loan Assistance
 SS#6 SCS SB 389 – Higher Education
 SB 513 – Nursing Student Loan Program

ELDERLY

See also Guardians

HCS HB 98 – Transportation Services for the Elderly
 SS HB 205 – Promotion of Tourism; Sales Tax in Perry County for Community Programs
 SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 – Income Taxation
 SCS HCS HB 795 – Local Public Improvements; Sales Tax in Perry County for Community Programs
 CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS HCS SCS SB 82 – Motor Vehicles
 CCS SB 233 – Local Taxes
 SCS SB 418 – Supplemental Nursing Care Program
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

ELECTIONS

SCS HJR 7 – Language of Official Proceedings
 CCS HCS SS SCS SB 22 – Political Subdivisions
 HCS SS SB 112 – Education
 SB 298 – Hospital District Directors in Iron County

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

HB 264 – State Public School Fund
 HB 352 – State Purchasing and Printing
 SCS SB 16 – Children's Vision Examinations
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS#3 HCS SCS SB 64 – Elementary and Secondary Education
 CCS HCS SB 84 – Children in Residential Care Facilities
 HCS SS SB 112 – Education
 SS#6 SCS SB 389 – Higher Education
 SCS SB 456 – Payments to Certain School Districts

EMBLEMS

HCS HB 272 – Official State Reptile
 HB 351 – Official State Invertebrate
 HB 576 – Official State Game Bird
 HB 680 – Official State Grass

EMERGENCIES

See also Ambulances and Ambulance Districts

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
 SS HB 579 – Emergency Management
 SCS HCS HB 619 & 118 – Civil Air Patrol
 CCS HCS SS SCS SB 22 – Political Subdivisions
 HCS SCS SB 47 – Fire Protection; Volunteer Emergency Response Personnel; Ambulance Service
 CCS HCS SCS SB 82 – Motor Vehicles
 SCS SB 91 – Emergency Vehicle Dealers
 SB 257 – Ownership of Firearms
 SB 352 – Emergency Vehicles

EMPLOYEES - EMPLOYERS

See also Labor and Management

SS#2 SCS HCS HB 818 – Health Insurance; Small Employer Health Insurance Act
 HCS SCS SB 47 – Fire Protection; Volunteer Emergency Response Personnel; Ambulance Service
 SCS SB 339 – Fairness in Public Construction Act
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Fraud and Abuse
 SS SCS SB 591 – Credit Unions

EMPLOYMENT SECURITY

SB 433 – Unemployment Compensation for Certain Veterans

ENERGY

See also Mining and Oil and Gas Production; Motor Fuel; Utilities

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

ENGINEERS

SS HB 134 – Equipment Grants for University of Missouri Engineering Programs

CCS SS SCS HCS HB 780 – Professional Registration

HCS SCS SB 272 – Professional Registration

CCS#2 HCS SCS SB 308 – Licensed Professionals

ENTERPRISE ZONES

See also Economic Development

SS SCS HCS HB 327 – Economic Development; Enterprise Zones

ENTERTAINMENT, SPORTS, AND AMUSEMENTS

See also Fairs; Parks and Recreation

SS HB 205 – Promotion of Tourism; Theater, Cultural Arts, and Entertainment Districts

SS SCS HCS HB 327 – Economic Development

CCS SS SCS HCS HB 780 – Professional Registration

SCS HCS HB 795 – Local Public Improvements; Theater, Cultural Arts, and Entertainment Districts

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SB 30 – Taxation

CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

HCS SCS SB 198 – Use of Lands

SS SCS SB 225 – Hunting Heritage Protection Areas Act

CCS#2 HCS SCS SB 308 – Licensed Professionals; Mixed Martial Arts

ENVIRONMENTAL PROTECTION

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

ESTATES, WILLS, AND TRUSTS

HB 220 – Missouri Uniform Trust Code

ETHICS

See also Lobbying

CCS HCS SS SCS SB 22 – Political Subdivisions

SCS SB 66 – Insurance

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

EVIDENCE

See also Criminal Procedure

SS SCS HCS HB 583 – Crime Victims

FAIRS

See also Entertainment, Sports, and Amusements; Parks and Recreation

HB 428 – State Fair Escrow Fund

FEDERAL - STATE RELATIONS

SCS HCS HB 619 & 118 – Civil Air Patrol

HB 754 – Disbursement of Funds by the Department of Corrections

SS#2 SCS HCS HB 818 – Health Insurance

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

FEES

CCS HCS SS SCS SB 22 – Political Subdivisions

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

SCS SB 66 – Insurance

CCS HCS SCS SB 82 – Motor Vehicles

CCS HCS SB 84 – Children

HCS#2 SCS SB 163 – Legal Services; Court Reporters

SS SCS SB 215 – Regulation of Insurance Companies

HCS SS SCS SB 284 – Video Service Regulations

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

FIRE PROTECTION

SCS HCS HB 426 – Propane Safety

SS SCS HCS HB 952 & 674 – Long-term Care Facilities

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SB 30 – Taxation; Dry Fire Hydrants

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

FIREARMS AND FIREWORKS

See also Weapons

SS SCS HCS HB 327 – Economic Development; Hunting Heritage Protection Areas Act

CCS HCS SS SCS SB 22 – Political Subdivisions

HCS SCS SB 47 – Fire Protection; Volunteer Emergency Response Personnel; Ambulance Service

CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms

HCS SCS SB 198 – Use of Lands

SS SCS SB 225 – Hunting Heritage Protection Areas Act

SB 257 – Ownership of Firearms

GAMBLING

SCS HB 41 – Law Enforcement

GENERAL ASSEMBLY

SS#6 SCS SB 389 – Higher Education

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

GOVERNOR AND LT. GOVERNOR

SCS HB 41 – Law Enforcement

GUARDIANS

See also Children and Minors; Disabilities; Elderly

CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse

CCS HCS SB 25 – Services for Children and Minors

HEALTH CARE

See also Insurance—Medical; Medical Procedures and Personnel

HCS HB 98 – Transportation Services for the Elderly

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act

HCS HB 948 – Genetic and Metabolic Screening Programs

CCS HCS SB 30 – Taxation; Community Health Districts

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

HEALTH CARE PROFESSIONALS

See also Licenses-Professional; see also individual professions

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
 HCS HB 497 – Physician Assistants
 SS HB 579 – Emergency Management
 SS SCS HCS HB 583 – Crime Victims
 CCS SS SCS HCS HB 780 – Professional Registration
 SS#2 SCS HCS HB 818 – Health Insurance; Down Syndrome Prenatal Information
 SCS SB 4 – Health Care Provider Tax
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

HEALTH DEPARTMENT

HCS HB 98 – Transportation Services for the Elderly
 HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
 SS HB 579 – Emergency Management
 CCS SS SCS HCS HB 780 – Professional Registration; Disqualification List
 HCS HB 948 – Genetic and Metabolic Screening Programs
 CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse
 CCS HCS SB 84 – Children
 CCS#2 HCS SCS SB 308 – Licensed Professionals; Disqualification List
 SB 513 – Nursing Student Loan Program
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

HEALTH, PUBLIC

HCS HB 948 – Genetic and Metabolic Screening Programs

HEARING INSTRUMENT FITTERS

CCS SS SCS HCS HB 780 – Professional Registration

HIGHER EDUCATION DEPARTMENT

SS SCS HCS HB 327 – Economic Development; Vocational School Districts
 SS#6 SCS SB 389 – Higher Education

HIGHWAY PATROL

See also Law Enforcement Officers and Agencies; Water Patrol

SCS HB 41 – Law Enforcement
 HCS HB 405 – State Highway Patrol
 CCS HB 574 – Law Enforcement
 SS SCS HCS HB 583 – Crime Victims
 CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms
 HCS SB 127 – Missouri Department of Transportation and Highway Patrol Employees' Retirement System
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans

HIGHWAYS AND ROADS

HB 56 – Memorial Bridge and Highways
 HB 732 – Memorial Highway and Bridge Designations
 CCS HCS SS SCS SB 22 – Political Subdivisions

HISTORIC PRESERVATION

See also Arts and Humanities; Libraries and Archives; Museums

SS SCS HCS HB 327 – Economic Development; Tax Credits
 CCS HCS SS SCS SB 22 – Political Subdivisions
 HCS SCS SB 198 – Use of Lands
 CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

HOSPITALS

HCS HB 1055 – Sexual Education and Abortions
 SCS SB 4 – Health Care Provider Tax
 CCS HCS SS SCS SB 22 – Political Subdivisions
 SB 298 – Hospital District Directors in Iron County

HOUSING

SB 162 – Claims for Income Tax Refunds

INSURANCE DEPARTMENT

HCS HB 221 – Service Contracts
 SS SCS HCS HB 327 – Economic Development; Enterprise Zones
 SCS SB 66 – Insurance
 SS SCS SB 215 – Regulation of Insurance Companies
 SS SCS SB 591 – Credit Unions

INSURANCE - GENERAL

HCS HB 221 – Service Contracts
 SCS SB 66 – Insurance
 CCS HCS SCS SB 82 – Motor Vehicles; Proof of Insurance for Dealers
 SS SCS SB 215 – Regulation of Insurance Companies

INSURANCE - LIFE

SCS SB 66 – Insurance
 SS SCS SB 215 – Regulation of Insurance Companies

INSURANCE - MEDICAL

See also Health Care; Medicaid
 SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 – Income Taxation
 SCS HB 791 – Health Carrier Claims Information
 SS#2 SCS HCS HB 818 – Health Insurance
 SCS SB 66 – Insurance
 SS SB 195 – Practice of Pharmacy
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

INTERSTATE COOPERATION

See also Compacts
 CCS HCS SB 84 – Children

JACKSON COUNTY

See also Counties; Saint Louis County
 SS HB 205 – Promotion of Tourism; Theater, Cultural Arts, and Entertainment Districts
 SCS HCS HB 795 – Local Public Improvements; Theater, Cultural Arts, and Entertainment Districts
 CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
HCS SCS SB 497 – Counties

KANSAS CITY

See also Cities, Towns, and Villages; Saint Louis
SS SCS HCS HB 327 – Economic Development; Hunting
Heritage Protection Areas Act
SCS HCS HB 795 – Local Public Improvements; Nonmoving
Municipal Code Violations
CCS HCS SS SCS SB 22 – Political Subdivisions
SB 172 – Police and Civilian Employees' Retirement System
of Kansas City
SS SCS SB 225 – Hunting Heritage Protection Areas Act
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
CCS#2 HCS#2 SB 406 – Employee Benefit Plans

LABOR AND INDUSTRIAL RELATIONS DEPARTMENT

SCS SB 339 – Fairness in Public Construction Act

LABOR AND MANAGEMENT

See also Employees-Employers
SCS SB 339 – Fairness in Public Construction Act

LAKES, RIVERS AND WATERWAYS

See also Boats and Watercraft
HCS SCS SB 198 – Use of Lands

LAW ENFORCEMENT OFFICERS AND AGENCIES

See also Highway Patrol; Water Patrol
SCS HB 41 – Law Enforcement
CCS HB 574 – Law Enforcement
SS SCS HCS HB 583 – Crime Victims
CCS SS SCS HCS HB 780 – Professional Registration
CCS HCS SB 30 – Taxation
CCS HCS SCS SB 62 & 41 – Defensive Use of Force;
Firearms
CCS HCS SB 81 – Promotion of Local Tourism; Economic
Development
SB 172 – Police and Civilian Employees' Retirement System
of Kansas City
CCS SB 233 – Local Taxes
HCS SB 270 – Peace Officer Standards and Training
Commission
CCS#2 HCS#2 SB 406 – Employee Benefit Plans

LIABILITY

See also Bonds-Surety
HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
HB 344 – Field Crop Damage
SS HB 579 – Emergency Management
SCS HCS HB 619 & 118 – Civil Air Patrol
CCS HCS SCS SB 62 & 41 – Defensive Use of Force;
Firearms
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
CCS HCS SS SCS SB 577 – Missouri Continuing Health
Improvement Act (MO HealthNet Program)

LIBRARIES AND ARCHIVES

*See also Arts and Humanities; Historic Preservation;
Museums*

CCS HCS SS SCS SB 22 – Political Subdivisions

LICENSES - LIQUOR AND BEER

See also Alcohol; Drunk Driving/Boating
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

LICENSES - MISCELLANEOUS

SCS HCS HB 298 – Missouri Blasting Safety Act
SCS HCS HB 426 – Propane Safety
CCS HCS SS SCS SB 22 – Political Subdivisions
CCS HCS SB 30 – Taxation
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
SCS SB 397 – Long-term Care Facilities Licensure
Requirements

LICENSES - MOTOR VEHICLE

See also Motor Vehicles
CCS HCS SCS SB 82 – Motor Vehicles
CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control
HCS SCS SB 384 – Stolen License Plate Tabs

LICENSES - PROFESSIONAL

*See also Health Care Professionals; see also names
of individual professions*
HCS HB 497 – Physician Assistants
HB 554 – Discrimination Against Licensed Professional
Counselors
HCS HB 555 – Complaints by Inmates Against Professional
Counselors and Licensed Clinical Social Workers
CCS SS SCS HCS HB 780 – Professional Registration
SS HCS HB 820 – Death Penalty Execution Team
HCS SCS SB 272 – Professional Registration
CCS#2 HCS SCS SB 308 – Licensed Professionals

LIENS

CCS HCS SCS SB 82 – Motor Vehicles
SCS SB 302 – Statutory Liens Against Real Estate

LOBBYING

See also Ethics
CCS HCS SS SCS SB 22 – Political Subdivisions

MARITAL AND FAMILY THERAPISTS. *See Mental Health*

MARRIAGE AND DIVORCE

See also Domestic Relations
CCS HCS SS SCS SB 22 – Political Subdivisions
CCS#2 HCS#2 SB 406 – Employee Benefit Plans

MEDICAID

See also Insurance-Medical
SCS SB 4 – Health Care Provider Tax
SCS SB 418 – Supplemental Nursing Care Program
CCS HCS SS SCS SB 577 – Missouri Continuing Health
Improvement Act (MO HealthNet Program)

MEDICAL PROCEDURES AND PERSONNEL*See also Abortion; Health Care*

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act

SS#2 SCS HCS HB 818 – Health Insurance: Tocologists

SS HCS HB 820 – Death Penalty Execution Team

MENTAL HEALTH*See also Psychologists*

HB 554 – Discrimination Against Licensed Professional Counselors

HCS HB 555 – Complaints by Inmates Against Professional Counselors and Licensed Clinical Social Workers

CCS SS SCS HCS HB 780 – Professional Registration

HCS SCS SB 272 – Professional Registration

CCS#2 HCS SCS SB 308 – Licensed Professionals

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

MENTAL HEALTH DEPARTMENT

CCS HCS#2 SS SCS SB 3 – Vulnerable Person Abuse

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

MERCHANDISING PRACTICES*See also Business and Commerce*

HCS HB 221 – Service Contracts

CCS HCS SCS SB 82 – Motor Vehicles

SB 166 – Time-share Promotional Program Notifications

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

HCS SCS SB 384 – Deceptive Business Practices

MERIT SYSTEM*See also State Employees*

HCS HB 461 – State Water Patrol

MILITARY AFFAIRS*See also National Guard; Veterans*

SCS HCS HB 619 & 118 – Civil Air Patrol

HCS HB 654 & 938 – Veterans' Programs; Stolen Valor Act; Property Tax Exemptions

CCS SS SCS HCS HB 780 – Professional Registration

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SCS SB 82 – Motor Vehicles

HCS SCS SB 272 – Professional Registration

CCS#2 HCS SCS SB 308 – Licensed Professionals

MINING AND OIL AND GAS PRODUCTION*See also Energy; Motor Fuel*

SS SCS HCS HB 327 – Economic Development; Tax Exemptions

CCS HCS SB 30 – Taxation

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

MORTGAGES AND DEEDS*See also Conveyances and Easements; Property, Real and Personal*

SCS SB 66 – Insurance

MOTELS AND HOTELS

SS HB 205 – Promotion of Tourism; Transient Guest Taxes

SCS HCS HB 795 – Local Public Improvements; Transient Guest Taxes

CCS HCS SS SCS SB 22 – Political Subdivisions

CCS HCS SB 30 – Taxation

CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

CCS SB 233 – Local Taxes

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

MOTOR CARRIERS*See also Buses; Railroads*

HCS#2 HB 28 – Carriers of Household Goods

SS SCS HCS HB 327 – Economic Development; Tax Exemptions

CCS HCS SB 30 – Taxation

CCS HCS SCS SB 82 – Motor Vehicles

CCS HCS SCS SB 299 & SS SCS SB 616 – Liquor Control

MOTOR FUEL*See also Energy; Mining and Oil and Gas Production*

SS SCS HCS HB 327 – Economic Development

SS HCS HB 741 – Economic Development Programs

CCS HCS SB 30 – Taxation

SS SCS SB 225 – Hunting Heritage Protection Areas Act

MOTOR VEHICLES*See also Aircraft and Airports; Boats and Watercraft; Licenses-Motor Vehicle; Transportation*

HCS HB 221 – Service Contracts

SS SCS HCS HB 327 – Economic Development

CCS HCS SCS SB 82 – Motor Vehicles

SCS SB 91 – Emergency Vehicle Dealers

HCS SB 322 – Commercial Zones

SB 352 – Emergency Vehicles

MUSEUMS*See also Arts and Humanities; Historic Preservation; Libraries and Archives*

CCS HCS SS SCS SB 22 – Political Subdivisions

NATIONAL GUARD*See also Military Affairs; Veterans*

SS HB 579 – Emergency Management

SCS HCS HB 619 & 118 – Civil Air Patrol

NATURAL RESOURCES DEPARTMENT

HB 75 – Park Services

CCS HCS SS SCS SB 22 – Political Subdivisions

HCS SCS SB 54 – Renewable Energy; Environmental Regulations

HCS SCS SB 198 – Use of Lands; Distribution of a Controlled Substance near a Park

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

NURSES

CCS SS SCS HCS HB 780 – Professional Registration
 SS SB 195 – Practice of Pharmacy
 CCS#2 HCS SCS SB 308 – Licensed Professionals
 SB 513 – Nursing Student Loan Program

NURSING AND BOARDING HOMES

HB 686 – Nursing Home Administrators' Rule-making Authority
 CCS SS SCS HCS HB 780 – Professional Registration
 SS SCS HCS HB 952 & 674 – Long-term Care Facilities
 SCS SB 4 – Health Care Provider Tax
 SCS SB 397 – Long-term Care Facilities Licensure Requirements
 SCS SB 418 – Supplemental Nursing Care Program
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

OPTOMETRY

CCS SS SCS HCS HB 780 – Professional Registration
 SCS SB 16 – Children's Vision Examinations
 CCS#2 HCS SCS SB 308 – Licensed Professionals

PARKS AND RECREATION

*See also Entertainment, Sports and Amusements;
 Fairs*

HB 75 – Park Services
 HCS SCS SB 198 – Use of Lands; Distribution of a Controlled Substance near a Park

PHARMACY

See also Drugs and Controlled Substances
 SS#2 SCS HCS HB 818 – Health Insurance; Prescription Drug Coverage
 SCS SB 4 – Health Care Provider Tax
 SS SB 195 – Practice of Pharmacy
 HCS SCS SB 272 – Professional Registration
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

PHYSICAL THERAPISTS

HCS SCS SB 272 – Professional Registration

PHYSICIANS

HCS HB 182 – Outside the Hospital Do-not-resuscitate Act
 HCS HB 497 – Physician Assistants
 SS SB 195 – Practice of Pharmacy

PLANNING AND ZONING

SS HB 205 – Promotion of Tourism; Transect-based Zoning
 SCS HCS HB 795 – Local Public Improvements; Transect-based Zoning
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 81 – Promotion of Local Tourism; Economic Development

POLITICAL SUBDIVISIONS

See also Cities, Towns and Villages; Counties
 HCS HB 184 – Children's Services Protection Act

HB 554 – Discrimination Against Licensed Professional Counselors
 SCS HB 801 – Telecommunications
 SCS HJR 7 – Language of Official Proceedings
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 81 – Promotion of Local Tourism; Economic Development
 SB 257 – Ownership of Firearms
 HCS SS SCS SB 284 – Video Service Regulations
 SB 298 – Hospital District Directors in Iron County
 HCS SB 322 – Construction-related Activities; Commercial Zones; State Buildings
 SCS SB 339 – Fairness in Public Construction Act

PRISONS AND JAILS

See also Corrections Department
 HCS HB 555 – Complaints by Inmates Against Professional Counselors and Licensed Clinical Social Workers

PRIVATE INVESTIGATORS

CCS SS SCS HCS HB 780 – Professional Registration
 CCS#2 HCS SCS SB 308 – Professional Registration

PROBATION AND PAROLE

SS SCS HCS HB 583 – Crime Victims
 CCS HCS SCS SB 62 & 41 – Defensive Use of Force; Firearms

PROFESSIONAL COUNSELORS. See Mental Health**PROPERTY, REAL AND PERSONAL**

See also Conveyances and Easements; Mortgages and Deeds; Taxation and Revenue-Property
 CCS SS SCS HCS HB 780 – Professional Registration
 CCS HCS SS SCS SB 22 – Political Subdivisions
 SCS SB 66 – Insurance
 HCS SCS SB 198 – Use of Lands
 SCS SB 302 – Statutory Liens Against Real Estate
 CCS#2 HCS SCS SB 308 – Professional Registration
 HCS SB 416 – Adverse Possession of Certain Lands

PSYCHOLOGISTS

See also Mental Health
 CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Health Access Incentive Fund

PUBLIC BUILDINGS

HB 62 – George Washington Carver Building
 HCS SB 322 – State Buildings
 SCS SB 339 – Fairness in Public Construction Act

PUBLIC RECORDS, PUBLIC MEETINGS

See also Sunshine Law, Meetings and Records
 SCS HB 41 – Law Enforcement
 CCS HB 574 – Missouri Uniform Law Enforcement System Records
 SCS HJR 7 – Language of Official Proceedings
 CCS HCS SS SCS SB 22 – Political Subdivisions
 SS#6 SCS SB 389 – Higher Education

PUBLIC SAFETY DEPARTMENT

SCS HB 41 – Law Enforcement
 SCS HCS HB 298 – Missouri Blasting Safety Act
 SS HB 579 – Emergency Management
 HCS SB 270 – Peace Officer Standards and Training Commission

PUBLIC SERVICE COMMISSION

HCS SCS SB 54 – Renewable Energy; Environmental Regulations
 HCS SS SCS SB 284 – Video Service Regulations

RAILROADS

See also Motor Carriers; Transportation
 SS SCS HCS HB 327 – Economic Development; Regional Railroad Authorities Act
 CCS HCS SB 30 – Taxation

RELIGION

See also Charities
 CCS SS SCS HCS HB 780 – Professional Registration; Christian Science Nurses
 SS#2 SCS HCS HB 818 – Health Insurance; Health Care Sharing Ministry
 SCS SB 46 – Faith-based Organization Liaison Act

RETIREMENT - LOCAL GOVERNMENT

CCS HCS SS SCS SB 22 – Political Subdivisions
 SB 172 – Police and Civilian Employees' Retirement System of Kansas City
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans

RETIREMENT - SCHOOLS

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

RETIREMENT - STATE

SS#2 SCS HCS HB 818 – Health Insurance
 HCS SB 127 – Missouri Department of Transportation and Highway Patrol Employees' Retirement System
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans

RETIREMENT SYSTEMS AND BENEFITS - GENERAL

SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 – Income Taxation

REVENUE DEPARTMENT

SS SCS HCS HB 327 – Economic Development
 SS HCS HB 453 – Income Tax Credits for Certain Donations
 CCS HB 574 – Law Enforcement
 SS#2 SCS HCS HB 818 – Health Insurance; Delinquent Medical Bills
 CCS HCS SCS SB 82 – Motor Vehicles

REVISION BILLS

HCS SRB 613 – Revision of Missouri Statutes

SAINT LOUIS

See also Cities, Towns, and Villages; Kansas City
 SCS HB 41 – Law Enforcement
 SS SCS HCS HB 327 – Economic Development; Hunting Heritage Protection Areas Act

CCS HB 574 – Law Enforcement

SCS HCS HB 795 – Local Public Improvements; Public Safety Sales Tax in the City of St. Louis

CCS HCS SS SCS SB 22 – Political Subdivisions

SS SCS SB 225 – Hunting Heritage Protection Areas Act

CCS#2 HCS#2 SB 406 – Employee Benefit Plans

HCS SCS SB 497 – Counties

SAINT LOUIS COUNTY

See also Counties; Jackson County

SCS HB 41 – Law Enforcement

SCS HCS HB 298 – Missouri Blasting Safety Act

SS SCS HCS HB 327 – Economic Development; Tax Increment Financing

CCS HCS SS SCS SB 22 – Political Subdivisions

HCS SCS SB 497 – Counties

SCIENCE AND TECHNOLOGY

HCS HB 181 – Electronic Video Instructional Materials

SS SCS HCS HB 327 – Economic Development

CCS HCS SB 30 – Taxation

CCS#3 HCS SCS SB 64 – Elementary and Secondary Education

SS#6 SCS SB 389 – Higher Education

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program)

SECRETARY OF STATE

SS SCS HCS HB 583 – Crime Victims: Address Confidentiality Program

SECURITIES

SCS SB 66 – Insurance

SEWERS AND SEWER DISTRICTS

CCS HCS SS SCS SB 22 – Political Subdivisions

SOCIAL SERVICES DEPARTMENT

CCS SS SCS HCS HB 780 – Professional Registration; Nursing Home Administrators

CCS HCS SB 25 – Services for Children and Minors

SCS SB 46 – Faith-based Organization Liaison Act

CCS HCS SB 84 – Children

CCS HCS SS SCS SB 577 – Missouri Continuing Health Improvement Act (MO HealthNet Program); Fraud and Abuse

SOCIAL WORKERS. *See Mental Health***STATE DEPARTMENTS**

See also names of individual departments

SCS HB 41 – Law Enforcement

HB 554 – Discrimination Against Licensed Professional Counselors

SCS HJR 7 – Language of Official Proceedings

SB 162 – Claims for Income Tax Refunds

CCS#2 HCS SCS SB 308 – Licensed Professionals; Human Voice Contact Act

STATE EMPLOYEES*See also Merit System*

HCS HB 461 – State Water Patrol
 SCS HCS HB 619 & 118 – Civil Air Patrol
 SS#2 SCS HCS HB 818 – Health Insurance
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans

SUNSHINE LAW, MEETINGS AND RECORDS*See also Public Records, Public Meetings*

SCS HJR 7 – Language of Official Proceedings

SURVEYORS

CCS SS SCS HCS HB 780 – Professional Registration
 HCS SCS SB 272 – Professional Registration
 CCS#2 HCS SCS SB 308 – Licensed Professionals

TAXATION AND REVENUE - GENERAL

HCS HB 184 – Children's Services Protection Act
 SS SCS HCS HB 327 – Economic Development
 SS HCS HB 741 – Economic Development Programs
 SCS SB 4 – Health Care Provider Tax
 CCS HCS SB 30 – Taxation
 SS SCS SB 225 – Hunting Heritage Protection Areas Act
 HCS SCS SB 497 – Counties

TAXATION AND REVENUE - INCOME

SS SCS HCS HB 327 – Economic Development; Tax Credits
 SS#2 SCS HCS HB 444, 217, 225, 239, 243, 297, 402 & 172
 – Income Taxation
 SS HCS HB 453 – Income Tax Credits for Certain Donations
 SS HCS HB 741 – Economic Development Programs
 SS#2 SCS HCS HB 818 – Health Insurance
 CCS HCS SB 30 – Taxation
 CCS#2 HCS SCS SB 86 – Tax Credits for Services for
 Children
 SB 162 – Claims for Income Tax Refunds

TAXATION AND REVENUE - PROPERTY*See also Property, Real and Personal*

SS SCS HCS HB 327 – Economic Development; Enterprise
 Zones
 HCS HB 616 – County Boards of Equalization
 HCS HB 654 & 938 – Veterans' Programs; Stolen Valor Act;
 Property Tax Exemptions
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation

TAXATION AND REVENUE - SALES AND USE

HCS HB 184 – Children's Services Protection Act
 SS HB 205 – Promotion of Tourism
 SS HCS HB 741 – Economic Development Programs
 SCS HCS HB 795 – Local Public Improvements
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS HCS SB 81 – Promotion of Local Tourism; Economic
 Development
 CCS SB 233 – Local Taxes
 CCS#2 HCS#2 SB 406 – Employee Benefit Plans
 HCS SCS SB 497 – Counties

TEACHERS*See also Education, Elementary and Secondary*

CCS#3 HCS SCS SB 64 – Elementary and Secondary
 Education

TELECOMMUNICATIONS

SCS HB 41 – Law Enforcement; Internet Crime
 SCS HB 801 – Telecommunications
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS#3 HCS SCS SB 64 – Elementary and Secondary
 Education
 HCS SS SCS SB 284 – Video Service Regulations
 CCS#2 HCS SCS SB 308 – Licensed Professionals; Human
 Voice Contact Act
 CCS HCS SS SCS SB 577 – Missouri Continuing Health
 Improvement Act (MO HealthNet Program)

TELEVISION

HCS SS SCS SB 284 – Video Service Regulations

TOURISM

SS HB 205 – Promotion of Tourism
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 CCS SB 233 – Local Taxes
 CCS HCS SB 376 – Tourism Supplemental Revenue Fund

TRANSPORTATION*See also Aircraft and Airports; Buses; Motor Vehicles;
Railroads*

HCS#2 HB 28 – Carriers of Household Goods
 HCS HB 98 – Transportation Services for the Elderly
 SS SCS HCS HB 327 – Economic Development
 CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SCS SB 82 – Motor Vehicles
 HCS SCS SB 497 – Counties

TRANSPORTATION DEPARTMENT

CCS HCS SS SCS SB 22 – Political Subdivisions
 CCS HCS SB 30 – Taxation
 HCS SB 127 – Missouri Department of Transportation and
 Highway Patrol Employees' Retirement System

UNEMPLOYMENT COMPENSATION

SB 433 – Unemployment Compensation for Certain Veterans

UNIFORM LAWS

HB 220 – Missouri Uniform Trust Code
 CCS HB 574 – Missouri Uniform Law Enforcement System
 Records

UTILITIES*See also Energy*

CCS HCS SS SCS SB 22 – Political Subdivisions
 HCS SCS SB 54 – Renewable Energy; Environmental
 Regulations
 CCS HCS SB 416 – Adverse Possession of Certain Lands

VETERANS

See also Military Affairs; National Guard

HCS HB 654 & 938 – Veterans' Programs; Stolen Valor Act;

Property Tax Exemptions

SB 433 – Unemployment Compensation for Certain Veterans

VETERINARIANS

CCS SS SCS HCS HB 780 – Professional Registration

HCS SS SCS SB 320 – Large Animal Veterinary Student

Loan Assistance

VICTIMS OF CRIME

See also Crimes and Punishment; Criminal Procedure

SS SCS HCS HB 583 – Crime Victims

WASTE - HAZARDOUS

HCS SCS SB 54 – Renewable Energy; Environmental

Regulations

WASTE - SOLID

CCS HCS SS SCS SB 22 – Political Subdivisions

WATER PATROL

*See also Highway Patrol; Law Enforcement Officers
and Agencies*

HCS HB 461 – State Water Patrol

WATER RESOURCES AND WATER DISTRICTS

See also Drainage and Levee Districts

SCS HCS HB 795 – Local Public Improvements; Public Water
Supply Districts

CCS HCS SS SCS SB 22 – Political Subdivisions

SB 407 – Public Water Supply Districts

CCS HCS SB 416 – Adverse Possession of Certain Lands

SCS SB 420 – Clean Water Commission

WEAPONS

See also Firearms and Fireworks

CCS HCS SCS SB 62 & 41 – Defensive Use of Force;
Firearms

WORKERS COMPENSATION

SCS HCS HB 619 & 118 – Civil Air Patrol

HOUSE RESEARCH STAFF

Bill Tucker, Director

Marc Webb, Assistant Director

Angie Bass, Legislative Analyst

Alex Curchin, Legislative Analyst

Rebecca DeNeve, Senior Legislative Analyst

Robert Dominique, Legislative Analyst

Jason Glahn, Legislative Analyst

Angie Green, Legislative Analyst

Alice Hurley, Legislative Analyst

Kristina Jenkins, Legislative Analyst

Julie Jinkens McNitt, Senior Legislative Analyst

Karla Strobel, Legislative Analyst

Roland Tackett, Legislative Analyst

Robert Triplett, Senior Legislative Analyst

Barbara Mertens, Administrative Staff

Patty Pleus, Administrative Staff

Jill Schroeder, Administrative Staff

