

# JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

---

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father in Heaven, we bow our heads before You in reverence because of who You are. You are our holy, loving and merciful Father and we stand here today in awe of You and Your compassion for us in this life. We are Your servants and just now we praise You and thank You for this life and all the joy that it brings. We give You thanks for our health and we pray for Your healing for those we love who are hurting or sick or broken.

We lift up to You our service men and women wherever they may be serving and ask for their safety and protection. Be with our families this week as distance separates us and allow them to feel Your comfort and peace as we work to accomplish Your will and Your purpose. Your Word declares "The fear of the Lord is the beginning of knowledge but fools despise wisdom and discipline."

At this hour on this day in this place we seek Your help and Your wisdom to do the work that You have called us to do. You know our needs before we speak and yet as Your children we ask that You be with us as we strive to represent and serve the people of Missouri. We pray all this in the name of Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

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

The Journal of the thirty-sixth day was approved as printed.

## SECOND READING OF HOUSE BILLS

**HB 1892** through **HB 1903** were read the second time.

Representative Diehl assumed the Chair.

## THIRD READING OF SENATE BILL

**SS SCS SB 572**, relating to workers' compensation, was taken up by Representative Richardson.

Representative Morgan requested a division of the question on **SS SCS SB 572**.

Representative Diehl requested a parliamentary ruling.

The division of the question was denied by the Parliamentary Committee.

On motion of Representative Richardson, **SS SCS SB 572** was truly agreed to and finally passed by the following vote:

AYES: 087

|            |             |              |                |           |
|------------|-------------|--------------|----------------|-----------|
| Allen      | Bahr        | Bernskoetter | Berry          | Brandom   |
| Brattin    | Brown 85    | Brown 116    | Burlison       | Cauthorn  |
| Cierpiot   | Conway 14   | Cookson      | Cox            | Crawford  |
| Cross      | Curtman     | Davis        | Day            | Denison   |
| Dieckhaus  | Diehl       | Dugger       | Elmer          | Entlicher |
| Fisher     | Fitzwater   | Flanigan     | Fraker         | Franklin  |
| Franz      | Frederick   | Fuhr         | Gatschenberger | Gosen     |
| Guernsey   | Haefner     | Hampton      | Hinson         | Hoskins   |
| Hough      | Houghton    | Johnson      | Jones 89       | Jones 117 |
| Keeney     | Kelley 126  | Klippenstein | Koenig         | Korman    |
| Lair       | Lant        | Largent      | Lauer          | Leara     |
| Loehner    | Long        | McNary       | Nance          | Nolte     |
| Parkinson  | Phillips    | Pollock      | Redmon         | Reiboldt  |
| Richardson | Riddle      | Rowland      | Ruzicka        | Sater     |
| Schad      | Scharnhorst | Schatz       | Schoeller      | Shumake   |
| Smith 150  | Solon       | Stream       | Swinger        | Thomson   |
| Torpey     | Wallingford | Wells        | White          | Wieland   |
| Wyatt      | Mr Speaker  |              |                |           |

NOES: 068

|             |           |               |            |            |
|-------------|-----------|---------------|------------|------------|
| Anders      | Asbury    | Aull          | Barnes     | Black      |
| Brown 50    | Carlson   | Carter        | Casey      | Colona     |
| Conway 27   | Ellinger  | Ellington     | Fallert    | Grisamore  |
| Harris      | Higdon    | Hodges        | Holsman    | Hubbard    |
| Hummel      | Jones 63  | Kander        | Kelly 24   | Kirkton    |
| Kratky      | Lampe     | Lasater       | Leach      | Marshall   |
| May         | McCaherty | McCann Beatty | McCreery   | McDonald   |
| McGeoghegan | McNeil    | Molendorp     | Montecillo | Morgan     |
| Nasheed     | Neth      | Newman        | Nichols    | Oxford     |
| Pace        | Pierson   | Quinn         | Rizzo      | Schieber   |
| Schieffer   | Schupp    | Shively       | Sifton     | Silvey     |
| Smith 71    | Sommer    | Spreng        | Still      | Swearingen |
| Talboy      | Taylor    | Walton Gray   | Webb       | Webber     |
| Weter       | Wright    | Zerr          |            |            |

PRESENT: 000

ABSENT WITH LEAVE: 008

|         |            |           |              |        |
|---------|------------|-----------|--------------|--------|
| Atkins  | Funderburk | Hughes    | Lichtenegger | McGhee |
| McManus | Meadows    | Schneider |              |        |

Representative Diehl declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 078

|             |           |                |              |             |
|-------------|-----------|----------------|--------------|-------------|
| Allen       | Bahr      | Bernskoetter   | Berry        | Brandom     |
| Brown 85    | Brown 116 | Burlison       | Cauthorn     | Cierpiot    |
| Conway 14   | Cookson   | Cox            | Crawford     | Cross       |
| Curtman     | Davis     | Day            | Denison      | Dieckhaus   |
| Diehl       | Dugger    | Elmer          | Entlicher    | Fisher      |
| Fitzwater   | Flanigan  | Fraker         | Franklin     | Franz       |
| Frederick   | Fuhr      | Gatschenberger | Gosen        | Guernsey    |
| Haefner     | Hampton   | Hoskins        | Houghton     | Johnson     |
| Jones 89    | Keeney    | Kelley 126     | Klippenstein | Koenig      |
| Korman      | Lair      | Lant           | Largent      | Lauer       |
| Leara       | Loehner   | Long           | McNary       | Parkinson   |
| Phillips    | Pollock   | Redmon         | Reiboldt     | Richardson  |
| Riddle      | Rowland   | Ruzicka        | Sater        | Schad       |
| Scharnhorst | Schatz    | Schoeller      | Shumake      | Smith 150   |
| Solon       | Stream    | Swinger        | Thomson      | Wallingford |
| Wells       | White     | Mr Speaker     |              |             |

NOES: 078

|              |            |             |           |               |
|--------------|------------|-------------|-----------|---------------|
| Anders       | Asbury     | Atkins      | Aull      | Barnes        |
| Black        | Brattin    | Brown 50    | Carlson   | Carter        |
| Casey        | Colona     | Conway 27   | Ellinger  | Ellington     |
| Fallert      | Grisamore  | Harris      | Higdon    | Hinson        |
| Hodges       | Holsman    | Hough       | Hubbard   | Hughes        |
| Hummel       | Jones 63   | Jones 117   | Kander    | Kelly 24      |
| Kirkton      | Kratky     | Lampe       | Lasater   | Leach         |
| Lichtenegger | Marshall   | May         | McCaherty | McCann Beatty |
| McCreery     | McDonald   | McGeoghegan | McNeil    | Montecillo    |
| Morgan       | Nance      | Nasheed     | Neth      | Newman        |
| Nichols      | Oxford     | Pace        | Pierson   | Quinn         |
| Rizzo        | Schieber   | Schieffer   | Schupp    | Shively       |
| Sifton       | Silvey     | Smith 71    | Sommer    | Spreng        |
| Still        | Swearingen | Talboy      | Taylor    | Torpey        |
| Walton Gray  | Webb       | Webber      | Weter     | Wieland       |
| Wright       | Wyatt      | Zerr        |           |               |

PRESENT: 000

ABSENT WITH LEAVE: 007

|            |           |         |         |           |
|------------|-----------|---------|---------|-----------|
| Funderburk | McGhee    | McManus | Meadows | Molendorp |
| Nolte      | Schneider |         |         |           |

## PERFECTION OF HOUSE BILLS

**HCS HBs 1659 & 1116**, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was adopted.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was ordered perfected and printed.

**HCS HB 1214**, relating to an entrepreneur resource network, was taken up by Representative Torpey.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 18, by inserting after the number, “2.” the following:

**“The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website’s content to achieve top search engine rankings.**

**3.”; and**

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 27, by inserting after the word “**section.**” the following:

**“Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN.”; and**

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

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

On motion of Representative Torpey, **HCS HB 1214, as amended**, was adopted.

On motion of Representative Torpey, **HCS HB 1214, as amended**, was ordered perfected and printed.

**HB 1621**, relating to discrimination regarding firearms, was taken up by Representative Brown (116).

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

Representative Cox raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

|           |           |            |             |                |
|-----------|-----------|------------|-------------|----------------|
| Allen     | Asbury    | Bahr       | Barnes      | Bernskoetter   |
| Berry     | Brandom   | Brattin    | Brown 85    | Brown 116      |
| Burlison  | Cauthorn  | Cierpiot   | Conway 14   | Cookson        |
| Cox       | Crawford  | Cross      | Curtman     | Davis          |
| Denison   | Dieckhaus | Diehl      | Dugger      | Elmer          |
| Entlicher | Fisher    | Fitzwater  | Flanigan    | Fraker         |
| Franklin  | Franz     | Frederick  | Fuhr        | Gatschenberger |
| Gosen     | Grisamore | Haefner    | Hampton     | Higdon         |
| Hinson    | Hoskins   | Hough      | Houghton    | Johnson        |
| Jones 89  | Jones 117 | Keeney     | Kelley 126  | Klippenstein   |
| Koenig    | Korman    | Lair       | Lant        | Largent        |
| Lasater   | Lauer     | Leach      | Leara       | Lichtenegger   |
| Loehner   | Long      | Marshall   | McCaherty   | McGhee         |
| Molendorp | Nance     | Neth       | Parkinson   | Phillips       |
| Pollock   | Reiboldt  | Richardson | Riddle      | Rowland        |
| Ruzicka   | Sater     | Schad      | Scharnhorst | Schatz         |
| Schieber  | Schoeller | Silvey     | Smith 150   | Solon          |
| Stream    | Thomson   | Torpey     | Wallingford | Wells          |
| Weter     | White     | Wieland    | Wright      | Wyatt          |
| Zerr      |           |            |             |                |

NOES: 052

|               |            |          |             |             |
|---------------|------------|----------|-------------|-------------|
| Anders        | Atkins     | Aull     | Black       | Brown 50    |
| Carlson       | Carter     | Casey    | Colona      | Conway 27   |
| Ellington     | Fallert    | Harris   | Hodges      | Holsman     |
| Hubbard       | Hughes     | Hummel   | Jones 63    | Kander      |
| Kelly 24      | Kirkton    | Kratky   | Lampe       | May         |
| McCann Beatty | McCreery   | McDonald | McGeoghegan | McNeil      |
| Montecillo    | Morgan     | Nasheed  | Newman      | Nichols     |
| Oxford        | Pace       | Pierson  | Quinn       | Rizzo       |
| Schieffer     | Shively    | Sifton   | Smith 71    | Spreng      |
| Still         | Swearingen | Talboy   | Taylor      | Walton Gray |
| Webb          | Webber     |          |             |             |

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 014

|        |          |            |            |           |
|--------|----------|------------|------------|-----------|
| Day    | Ellinger | Funderburk | Guernsey   | McManus   |
| McNary | Meadows  | Nolte      | Redmon     | Schneider |
| Schupp | Shumake  | Sommer     | Mr Speaker |           |

On motion of Representative Brown (116), **HB 1621** was ordered perfected and printed by the following vote:

AYES: 118

|            |            |                |             |              |
|------------|------------|----------------|-------------|--------------|
| Allen      | Asbury     | Aull           | Barnes      | Bernskoetter |
| Berry      | Black      | Brandom        | Brattin     | Brown 85     |
| Brown 116  | Burlison   | Casey          | Cauthorn    | Cierpiot     |
| Conway 14  | Conway 27  | Cookson        | Cox         | Crawford     |
| Cross      | Davis      | Denison        | Dieckhaus   | Diehl        |
| Dugger     | Elmer      | Entlicher      | Fallert     | Fisher       |
| Fitzwater  | Flanigan   | Fraker         | Franklin    | Franz        |
| Frederick  | Fuhr       | Gatschenberger | Gosen       | Grisamore    |
| Guernsey   | Haefner    | Hampton        | Harris      | Higdon       |
| Hinson     | Hodges     | Hoskins        | Hough       | Houghton     |
| Hubbard    | Johnson    | Jones 89       | Jones 117   | Kander       |
| Keeney     | Kelley 126 | Klippenstein   | Korman      | Kratky       |
| Lair       | Lampe      | Lant           | Largent     | Lasater      |
| Lauer      | Leara      | Lichtenegger   | Loehner     | Long         |
| Marshall   | McCaherty  | McDonald       | McGhee      | McNary       |
| Molendorp  | Nance      | Nasheed        | Neth        | Parkinson    |
| Phillips   | Pollock    | Quinn          | Redmon      | Reiboldt     |
| Richardson | Riddle     | Rizzo          | Rowland     | Ruzicka      |
| Sater      | Schad      | Scharnhorst    | Schatz      | Schieber     |
| Schieffer  | Schneider  | Schoeller      | Shively     | Shumake      |
| Silvey     | Smith 150  | Solon          | Stream      | Swearingen   |
| Swinger    | Thomson    | Torpey         | Wallingford | Webber       |
| Wells      | Weter      | White          | Wieland     | Wright       |
| Wyatt      | Zerr       | Mr Speaker     |             |              |

NOES: 037

|             |            |               |           |             |
|-------------|------------|---------------|-----------|-------------|
| Anders      | Atkins     | Bahr          | Brown 50  | Carlson     |
| Carter      | Colona     | Curtman       | Ellington | Holsman     |
| Hummel      | Jones 63   | Kelly 24      | Kirkton   | Koenig      |
| Leach       | May        | McCann Beatty | McCreery  | McGeoghegan |
| McNeil      | Montecillo | Morgan        | Newman    | Nichols     |
| Oxford      | Pace       | Pierson       | Schupp    | Sifton      |
| Smith 71    | Spreng     | Still         | Talboy    | Taylor      |
| Walton Gray | Webb       |               |           |             |

PRESENT: 000

ABSENT WITH LEAVE: 008

|         |          |            |        |         |
|---------|----------|------------|--------|---------|
| Day     | Ellinger | Funderburk | Hughes | McManus |
| Meadows | Nolte    | Sommer     |        |         |

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

**AFTERNOON SESSION**

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

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1035 through House Resolution No. 1078

**HOUSE CONCURRENT RESOLUTION**

Representative Franklin, et al., offered House Concurrent Resolution No. 46.

**PERFECTION OF HOUSE BILLS**

**HB 1504**, relating to a public library district sales tax, was taken up by Representative Richardson.

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

*House Amendment No. 1*

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

“144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to [144.748] **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, [2013] **2023.**”; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)] (7) "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)] (8) "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)] (9) "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district, **including any areas under concurrent jurisdiction with an agency of the United States government.** Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

**2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.**

**3.** The [tax] taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the [proposed] metropolitan district enacting such an ordinance shall



submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . . , state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . County join such other of . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . (insert name of governing body) of . . . . County pursuant to (insert ordinance number), on the . . . day of . . . (insert month), . . . (insert year)?

YES  NO

**2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712**, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

**"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE**

**For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ..... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?"**.

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and [sections] **subsection 1 of section 67.1715 and in section 67.1718.**

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769. **No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1)**

**of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;**

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district. **Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;**

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. 1. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. **The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:**

(1) **Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:**

(a) **For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:**

a. **Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and**

b. **Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;**

(b) **After the period described in paragraph (a) of this subdivision:**

a. **Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and**

b. **Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;**

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 3, Section 182.802, Line 56, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

On motion of Representative Richardson, **HB 1504, as amended**, was ordered perfected and printed.

Representative Diehl resumed the Chair.

**HCS HBs 1319, 1045 & 1369**, relating to weapons, was taken up by Representative Riddle.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.092, Line 1, by deleting the words "**over the age of eighteen years**"; and

Further amend said bill, Page 18, Section 571.117, Line 100, by inserting after all of said section and line the following:

"[475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer from the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.]"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

**“571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.”; and**

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

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by deleting all of said section and lines from the bill; and

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

Representative Hummel moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 038

|               |             |           |             |         |
|---------------|-------------|-----------|-------------|---------|
| Anders        | Atkins      | Brown 50  | Carlson     | Carter  |
| Colona        | Ellinger    | Ellington | Holsman     | Hummel  |
| Jones 63      | Kirkton     | Kratky    | Lampe       | May     |
| McCann Beatty | McCreery    | McDonald  | McGeoghegan | McNeil  |
| Montecillo    | Morgan      | Nasheed   | Newman      | Nichols |
| Oxford        | Pace        | Pierson   | Rizzo       | Schupp  |
| Sifton        | Spreng      | Still     | Swearingen  | Talboy  |
| Taylor        | Walton Gray | Webb      |             |         |

NOES: 111

|           |         |          |              |           |
|-----------|---------|----------|--------------|-----------|
| Asbury    | Aull    | Bahr     | Bernskoetter | Berry     |
| Black     | Brandom | Brattin  | Brown 85     | Brown 116 |
| Burlison  | Casey   | Cauthorn | Cierpiot     | Conway 14 |
| Conway 27 | Cookson | Cox      | Crawford     | Cross     |
| Curtman   | Davis   | Day      | Denison      | Dieckhaus |
| Diehl     | Dugger  | Elmer    | Entlicher    | Fallert   |

|            |              |                |          |           |
|------------|--------------|----------------|----------|-----------|
| Fisher     | Fitzwater    | Fraker         | Franklin | Franz     |
| Frederick  | Fuhr         | Gatschenberger | Gosen    | Grisamore |
| Guernsey   | Haefner      | Hampton        | Harris   | Higdon    |
| Hinson     | Hodges       | Hoskins        | Hough    | Houghton  |
| Hubbard    | Hughes       | Johnson        | Jones 89 | Kander    |
| Kelley 126 | Klippenstein | Koenig         | Korman   | Lair      |
| Lant       | Largent      | Lasater        | Lauer    | Leach     |
| Leara      | Lichtenegger | Loehner        | Long     | Marshall  |
| McCaherty  | McGhee       | Molendorp      | Nance    | Neth      |
| Parkinson  | Phillips     | Pollock        | Quinn    | Redmon    |
| Reiboldt   | Richardson   | Riddle         | Rowland  | Ruzicka   |
| Sater      | Schad        | Scharnhorst    | Schatz   | Schieber  |
| Schieffer  | Schneider    | Shively        | Shumake  | Silvey    |
| Smith 150  | Solon        | Stream         | Swinger  | Thomson   |
| Torpey     | Wallingford  | Webber         | Wells    | Weter     |
| White      | Wieland      | Wright         | Wyatt    | Zerr      |
| Mr Speaker |              |                |          |           |

PRESENT: 000

ABSENT WITH LEAVE: 014

|        |           |          |            |           |
|--------|-----------|----------|------------|-----------|
| Allen  | Barnes    | Flanigan | Funderburk | Jones 117 |
| Keeney | Kelly 24  | McManus  | McNary     | Meadows   |
| Nolte  | Schoeller | Smith 71 | Sommer     |           |

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 2, Section 571.020, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the phrase “dramatic performance.”; and

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

Representative Jones (89) assumed the Chair.

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

Which motion was defeated.

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 4, Section 571.030, Line 71, by inserting after the word “**Forces,**” the following:

“**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,**”; and

Further amend said bill, Page 8, Section 571.101, Line 20, by inserting after the word “**Forces,**” the following:

**“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”**; and

Further amend said bill, Page 9, Section 571.101, Line 62, by inserting after the word “**Forces,**” the following:

**“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”**; and

Further amend said bill, Page 16, Section 571.117, Line 33, by inserting after the word “**Forces,**” the following:

**“honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers’ Training Corps,”**; and

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

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

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended**, was adopted.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended**, was ordered perfected and printed.

Representative Diehl resumed the Chair.

**HCS HB 1449**, relating to economic development in Kansas City, was taken up by Representative Berry.

On motion of Representative Berry, **HCS HB 1449** was adopted.

On motion of Representative Berry, **HCS HB 1449** was ordered perfected and printed.

**HCS HB 1042**, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1042, Page 7, Section 173.040, Line 19, by adding after all of said line the following:

“173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

#### Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

#### Article III The Commission

A. The [Educational] **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.



G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

#### Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.
2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.
3. Develop proposals for adequate financing of education as a whole and at each of its many levels.
4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.
5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.
6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

#### Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

#### Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

#### Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

#### Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

#### Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters." ; and

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

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

Which motion was defeated by the following vote:

AYES: 060

|             |             |          |               |            |
|-------------|-------------|----------|---------------|------------|
| Anders      | Atkins      | Aull     | Black         | Brown 50   |
| Carlson     | Carter      | Casey    | Colona        | Conway 27  |
| Ellington   | Fallert     | Flanigan | Gosen         | Grisamore  |
| Harris      | Hodges      | Hubbard  | Hughes        | Hummel     |
| Jones 63    | Jones 89    | Kander   | Kelley 126    | Kirkton    |
| Kratky      | Lampe       | May      | McCann Beatty | McCreery   |
| McDonald    | McGeoghegan | McGhee   | McNeil        | Montecillo |
| Morgan      | Newman      | Nichols  | Oxford        | Pace       |
| Pierson     | Quinn       | Rizzo    | Schieffer     | Schupp     |
| Shively     | Sifton      | Silvey   | Spreng        | Still      |
| Swearingen  | Swinger     | Talboy   | Taylor        | Torpey     |
| Walton Gray | Webb        | Webber   | Zerr          | Mr Speaker |

NOES: 088

|            |                |           |              |           |
|------------|----------------|-----------|--------------|-----------|
| Allen      | Asbury         | Bahr      | Bernskoetter | Berry     |
| Brandom    | Brattin        | Brown 85  | Brown 116    | Burlison  |
| Cauthorn   | Cierpiot       | Conway 14 | Cookson      | Cox       |
| Crawford   | Cross          | Curtman   | Davis        | Dieckhaus |
| Diehl      | Dugger         | Elmer     | Entlicher    | Fisher    |
| Fitzwater  | Fraker         | Franklin  | Franz        | Frederick |
| Fuhr       | Gatschenberger | Guernsey  | Haefner      | Hampton   |
| Higdon     | Hinson         | Hoskins   | Hough        | Houghton  |
| Johnson    | Klippenstein   | Koenig    | Korman       | Lair      |
| Lant       | Largent        | Lasater   | Lauer        | Leach     |
| Leara      | Lichtenegger   | Loehner   | Long         | Marshall  |
| McCaherty  | Molendorp      | Nance     | Nasheed      | Neth      |
| Parkinson  | Phillips       | Pollock   | Redmon       | Reiboldt  |
| Richardson | Riddle         | Rowland   | Ruzicka      | Sater     |
| Schad      | Scharnhorst    | Schatz    | Schieber     | Schneider |
| Shumake    | Smith 150      | Solon     | Sommer       | Stream    |
| Thomson    | Wallingford    | Wells     | Weter        | White     |
| Wieland    | Wright         | Wyatt     |              |           |

PRESENT: 000

ABSENT WITH LEAVE: 015

|         |           |         |           |            |
|---------|-----------|---------|-----------|------------|
| Barnes  | Day       | Denison | Ellinger  | Funderburk |
| Holsman | Jones 117 | Keeney  | Kelly 24  | McManus    |
| McNary  | Meadows   | Nolte   | Schoeller | Smith 71   |

On motion of Representative Thomson, **HCS HB 1042** was adopted.

On motion of Representative Thomson, **HCS HB 1042** was ordered perfected and printed.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 1042** - Fiscal Review

**HCS HB 1212** - Fiscal Review

**HCS HB 1220** - Fiscal Review

**HB 1431** - Fiscal Review

**HB 1466** - Fiscal Review

**HB 1504** - Fiscal Review

## COMMITTEE REPORTS

**Committee on Agri-Business**, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

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

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Children and Families**, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1278** and **HB 1152**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Downsizing State Government**, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1623**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the practice of school nursing began in the United States in 1902, when the initial role of the school nurse was to reduce absenteeism by intervening with students and families regarding health care needs related to communicable diseases; and

WHEREAS, today, professional school nursing is a specialized practice that advances the well-being, academic success, and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services, and actively collaborate with others to build student and family capacity for adaptation, self-management, and self-advocacy, and learning; and

WHEREAS, seven roles have been identified by the National Association of School Nurses:

- (1) Providing health care to students and staff;
- (2) Providing leadership for the provision of health services;
- (3) Providing screening and referral for health care;
- (4) Promoting a healthy school environment;
- (5) Promoting health;
- (6) Serving in a leadership role for health policies and programs;
- (7) Serving as a liaison between school personnel, family, community, and health care providers; and

WHEREAS, under optimal conditions, all public schools should have a school nurse on staff; and

WHEREAS, today, school nurses are facing increased pressures from every direction. Overwhelming amounts of paperwork, strict administrative policies, diminishing school budgets, and serious concerns regarding legal liabilities leave an insufficient amount of time and resources to provide students with the quality of care they deserve; and

WHEREAS, as schools grapple with mandates from the federal government to vaccinate students, many districts have few or no nurses to prevent or respond to outbreaks, leaving students more vulnerable to viruses that spread easily in classrooms and take a heavier toll on children and young adults; and

WHEREAS, a 2008 survey by the National Association of School Nurses found that only 45% of public schools have their own full-time nurse, another 30% have a part-time nurse, and 25% don't have any nurses at all; and

WHEREAS, given the vital role of our professional school nurses, school districts should recognize the dedication and contributions made by professionals:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the important health and educational services that professional school nurses provide and strongly urge every school district in this state to recognize the dedication of professional school nurses and the valuable role they play in Missouri schools; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each school district in Missouri.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Small Business**, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1782**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Committee on Transportation Funding and Public Institutions**, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

**Special Standing Committee on Disability Services**, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.



## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1904**, introduced by Representatives Wells, Ruzicka, Kelly (24), McGhee, Jones (117) and Jones (89), relating to fire sprinkler contractors.

**HB 1905**, introduced by Representative Ruzicka, relating to solid waste management.

**HB 1906**, introduced by Representatives Nolte, Lasater, Wells, Nance, Korman and Lichtenegger, relating to the designation of a memorial highway.

**HB 1907**, introduced by Representatives Jones (117) and Talboy, relating to vulnerable persons.

**HB 1908**, introduced by Representative Ruzicka, relating to asbestos abatement.

**HB 1909**, introduced by Representative Hoskins, relating to sales of aviation jet fuel.

**HB 1910**, introduced by Representatives McNeil, Kirkton, Oxford, Schupp, McGeoghegan, Pace, McCreery and McCann Beatty, relating to the sale of children's products containing bisphenol-A.

**HB 1911**, introduced by Representatives Shumake, Rowland, Weter, Cross, Cauthorn and Redmon, relating to the Missouri Advisory Boards and Commissions Association.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 24**.

### SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, the trucking industry is a critical component of the United States economy; and

WHEREAS, truck safety is an important public policy concern; and

WHEREAS, on December 16, 2011, the Federal Motor Carrier Safety Administration (FMCSA) published a final rule establishing new Hours of Service (HOS) regulations for commercial motor vehicles; and

WHEREAS, the final rule institutes a new 30-minute rest break requirement for drivers, mandates that the 34-hour restart provision include two off-duty periods between 1:00 a.m. and 5:00 a.m., and revises the definition of on-duty time; and

WHEREAS, FMCSA's new HOS rule reduces the maximum weekly hours truck drivers may work from an average of 82 hours to 70 hours; and

WHEREAS, the final rule also establishes penalties for egregious violations of the HOS regulations and revises log book requirements for drivers involved in oilfield operations; and

WHEREAS, the FMCSA's final rule would decrease the overall number of hours a truck driver could work, and require the addition of more trucks and drivers to deliver the nation's freight; and

WHEREAS, this impact would likely compromise highway safety by generating more exposure to crashes, putting less experienced drivers on the road, exacerbating the shortage of rest area parking spaces and creating long periods of idle time for truck drivers; and

WHEREAS, the increased costs generated by the need for additional trucks and drivers, as well as operational changes, under the proposal would inflate delivery expenses and raise business and consumer costs; and

WHEREAS, the impact of the final rule will result in additional costs for motor carriers, reduced income for truck drivers, reduced productivity, an increase in highway congestion, and an increase in the cost of goods for Missourians; and

WHEREAS, the FMCSA's cost-benefit analysis of the proposal is incomplete, fails to completely account for all trucking-industry and economy-wide costs, and inflates the safety benefits of the proposal; and

WHEREAS, the American Trucking Association recently filed a petition with the U.S. Circuit Court of Appeals for the District of Columbia, asking the court to set aside FMCSA's recently published final rule as arbitrary and capricious and contrary to law; and

WHEREAS, FMCSA advisory panels are looking toward adopting regulations that involve screening and treatment of drivers at risk for obstructive sleep apnea; and

WHEREAS, the FMCSA Advisory Committee and Medical Review Board adopted 11 recommendations, including a requirement that all drivers with a body mass index measurement (BMI) of 35 or higher be tested for sleep apnea; and

WHEREAS, while there is some evidence to indicate that some commercial truck drivers have sleep apnea, there is insufficient evidence that this condition has resulted in the increased likelihood of crashes; and

WHEREAS, the Owner-Operator Independent Drivers Association Foundation calculated that 49 percent of the 3.5 million commercial truck drivers have a BMI of 30 or greater and that if a number of drivers is required to undergo sleep lab exams, such a rule would cost truckers \$5.25 billion; and

WHEREAS, the reach of the proposed sleep apnea testing regulation would even govern school bus drivers; and

WHEREAS, there are valid operational differences between school bus operations and other commercial carrier operations which should be taken into account when considering applying the recommendations to all commercial drivers; and

WHEREAS, FMCSA is considering adopting other rules and regulations, notably regulations concerning electronic stability control for large trucks and speed limits for large trucks, all measures that could have a profound effect on the national economy:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, Anne S. Ferro, and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

**COMMITTEE CHANGES**

March 7, 2012

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative David Day from the Committee on Professional Registration and Licensing and appoint Representative Diane Franklin.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

---

March 7, 2012

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Doug Funderburk from the Committee on Rules and appoint Representative Caleb Jones to this committee and to serve as Vice Chairman.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

---

March 7, 2012

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Caleb Jones from the Committee on Utilities and appoint Representative Kent Hampton.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

-----  
March 7, 2012

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Bill White from the Committee on Tax Reform and appoint Representative Dwight Scharnhorst.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

### **COMMITTEE APPOINTMENT**

March 7, 2012

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Bill White and Representative Craig Redmon to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley  
Speaker of the Missouri House of Representatives

### **ADJOURNMENT**

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 8, 2012.

## COMMITTEE MEETINGS

### AGRI-BUSINESS

Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.  
Public hearing will be held: HB 1860, HCR 31  
Executive session may be held on any matter referred to the committee.

### CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 5.  
Executive session may be held on any matter referred to the committee.

### FISCAL REVIEW

Thursday, March 8, 2012, 8:30 AM South Gallery.  
Executive session may be held on any matter referred to the committee.  
Any and all bills assigned to the committee

### GENERAL LAWS

Thursday, March 8, 2012, 9:00 AM North Gallery.  
Executive session may be held on any matter referred to the committee.

### HEALTH INSURANCE

Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.  
Public hearing will be held: HB 1890  
Executive session may be held on any matter referred to the committee.  
AMENDED

### INSURANCE POLICY

Thursday, March 8, 2012, Upon Morning Adjournment South Gallery.  
Public hearing will be held: HB 1875  
Executive session may be held on any matter referred to the committee.  
We will have a short executive session Thursday, March 8th.  
AMENDED

### LOCAL GOVERNMENT

Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.  
Executive session may be held on any matter referred to the committee.  
Upon adjournment, Executive session only  
CANCELLED

### RULES - PURSUANT TO RULE 25(32)(F)

Thursday, March 8, 2012, 9:30 AM House Hearing Room 1.  
Executive Session will be held: HCS HB 1272, HB 1046, HB 1512, HCS HB 1323, HCS HB 1060, HCS HB 1475, HCS HB 1134, HCS HB 1541, HCS HB 1722, HB 1326, HCS HB 1395, HCS HB 1644, HCS#2 HB 1524, HB 1403, HCS HB 1094, HCS HB 1488  
Executive Session may be held on any or all bills which have been referred to this committee.  
This may include Budget bills 2001 - 2013.

**SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY**

Monday, March 12, 2012, 11:00 AM House Hearing Room 5.

Public hearing will be held: HB 1859, HB 1865

Executive session will be held: HB 1359, HB 1383

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

No meal will be provided.

**CANCELLED**

**TOURISM AND NATURAL RESOURCES**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.

Public hearing will be held: HB 1752, HB 1744, HB 1408

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

**TRANSPORTATION**

Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 1880, HB 1878

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

**UTILITIES**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.

Executive session will be held: HB 1316

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

**WAYS AND MEANS**

Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.

Public hearing will be held: HB 1446, HB 1717

Executive session will be held: HB 1717

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

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Monday, March 19, 2012, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 1837,

Executive session will be held: HB 1540

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

**HOUSE CALENDAR**

THIRTY-EIGHTH DAY, THURSDAY, MARCH 8, 2012

**HOUSE BILLS FOR SECOND READING**

HB 1904 through HB 1911

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 52 - Ruzicka

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1191 - Ruzicka
- 2 HCS HB 1300 - Franz
- 3 HCS HB 1324 - Loehner
- 4 HCS HB 1198 - Fisher
- 5 HB 1051 - Allen
- 6 HCS HB 1169 - Franz
- 7 HB 1296 - Davis
- 8 HCS HB 1361 - Pollock

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/5/2012)

- 1 HB 1073 - Sater
- 2 HB 1096 - Wieland
- 3 HB 1165 - Diehl
- 4 HB 1190 - Allen
- 5 HB 1231 - Cauthorn
- 6 HB 1266 - Denison
- 7 HB 1337 - Stream
- 8 HCS HB 1373 - Asbury
- 9 HB 1492 - Molendorp
- 10 HB 1577 - Largent
- 11 HB 1634 - Ruzicka
- 12 HB 1641 - Pollock
- 13 HB 1668 - Denison

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

HCS HJR 61 - Loehner

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1277 - Long
- 2 HCS HBs 1298 & 1180 - Parkinson
- 3 HCS#2 HB 1317 - Riddle
- 4 HCS HB 1525 - Fuhr
- 5 HCS HB 1193 - Frederick
- 6 HCS HB 1220, (Fiscal Review 3/7/12) - Hubbard
- 7 HB 1029 - Flanigan
- 8 HB 1431, (Fiscal Review 3/7/12) - Hoskins
- 9 HCS HB 1495 - Nance
- 10 HCS HB 1212, (Fiscal Review 3/7/12) - Smith (150)
- 11 HB 1331 - Jones (117)
- 12 HCS HB 1123 - Frederick

- 13 HB 1513 - Franz
- 14 HB 1466, (Fiscal Review 3/7/12) - Nasheed
- 15 HCS HBs 1659 & 1116 - Torpey
- 16 HCS HB 1214 - Torpey
- 17 HB 1621 - Brown (116)
- 18 HB 1504, (Fiscal Review 3/7/12), E.C. - Richardson
- 19 HCS HBs 1319, 1045 & 1369 - Riddle
- 20 HCS HB 1449 - Berry
- 21 HCS HB 1042, (Fiscal Review 3/7/12) - Thomson

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

- 1 HCS HBs 1098 & 1084 - Shumake
- 2 HCS HB 1108 - Lauer
- 3 HB 1236 - Entlicher
- 4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
- 5 HCS HB 1340 - Dugger
- 6 HB 1404 - Reiboldt
- 7 HCS HB 1576 - Largent

#### **HOUSE CONCURRENT RESOLUTIONS**

HCR 22 - Walton Gray