

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 927
97TH GENERAL ASSEMBLY

2200H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 64.196, 178.550, 192.300, 196.311, 261.100, 267.655, 304.180, 304.184, 323.100, 348.521, 413.225, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof nineteen new sections relating to agriculture, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 64.196, 178.550, 192.300, 196.311, 261.100, 267.655, 304.180, 304.184, 323.100, 348.521, 413.225, 570.030, 578.009, and 578.012, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 64.196, 144.527, 178.550, 192.300, 196.311, 261.100, 262.750, 262.795, 267.655, 304.180, 304.184, 323.100, 348.521, 413.225, 570.030, 578.009, 578.011, 578.012, and 1, to read as follows:

64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020.

144.527. 1. In addition to the exemptions granted under this chapter, there shall also be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, and section 238.235 all sales of farm products sold at a farmers' market.

2. For purposes of this section "farm products" shall mean any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese, and other dairy products, food products of "aquaculture", as defined in section 277.024, including fish, oysters, clams, mussels, and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 other molluscan shellfish taken from the waters of the state, products from any tree, vine,
11 or plant and other flowers, or any of the products listed in this subdivision that have been
12 processed by the participating farmer, including, but not limited to, baked goods made
13 with farm products.

14 **3. For purposes of this section "farmers' market" shall mean an individual farmer**
15 **or a cooperative or nonprofit enterprise or association that consistently occupies a given**
16 **site throughout the season, which operates principally as a common marketplace for an**
17 **individual farmer or a group of farmers to sell farm products directly to consumers, and**
18 **where the products sold are produced by the participating farmers with the sole intent and**
19 **purpose of generating a portion of household income.**

20 **4. The provisions of this section do not apply to any farmer with estimated total**
21 **annual sales of twenty-five thousand dollars or more from participating in farmers'**
22 **markets.**

178.550. [The president of the state board of education shall annually appoint a
2 committee of five members to be known as the "State Advisory Committee for Vocational
3 Education". The state advisory committee shall consist of one person of experience in
4 agriculture; one employer; one representative of labor; one person of experience in home
5 economics; one person of experience in commerce. The state commissioner of education is ex
6 officio a member and the chairman of the advisory committee. The state board of education shall
7 formulate general principles and policies for the administration of sections 178.420 to 178.580,
8 which, when they have been approved by the state advisory committee, shall be put into effect.
9 Joint conferences between the state board of education and advisory committee shall be held at
10 least four times each year. All members of the state advisory committee shall be reimbursed for
11 their actual expenses in attending the conferences.] **1. This section shall be known and may**
12 **be cited as the "Career and Technical Education Student Protection Act". There is hereby**
13 **established the "Career and Technical Education Advisory Council" within the**
14 **department of elementary and secondary education.**

15 **2. The advisory council shall be composed of eleven members who shall be Missouri**
16 **residents, appointed by the governor with the advice and consent of the senate:**

17 **(1) A director or administrator of a career and technical education center;**

18 **(2) An individual from the business community with a background in commerce;**

19 **(3) A representative from Linn State Technical College;**

20 **(4) Three current or retired career and technical education teachers who also serve**
21 **or served as an advisor to any of the nationally recognized career and technical education**
22 **student organizations of:**

23 **(a) DECA;**

- 24 **(b) Future Business Leaders of America (FBLA);**
25 **(c) FFA;**
26 **(d) Family, Career and Community Leaders of America (FCCLA);**
27 **(e) Health Occupations Students of America (HOSA);**
28 **(f) SkillsUSA; or**
29 **(g) Technology Student Association (TSA);**
30 **(5) A representative from a business organization, association of businesses, or a**
31 **business coalition;**
32 **(6) A representative from a Missouri community college;**
33 **(7) A representative from Southeast Missouri State University or the University of**
34 **Central Missouri;**
35 **(8) An individual participating in an apprenticeship recognized by the department**
36 **of labor and industrial relations or approved by the United States Department of Labor's**
37 **Office of Apprenticeship;**
38 **(9) A school administrator or school superintendent of a school that offers career**
39 **and technical education.**
- 40 **3. Members shall serve a term of five years except for the initial appointments,**
41 **which shall be for the following lengths:**
42 **(1) One member shall be appointed for a term of one year;**
43 **(2) Two members shall be appointed for a term of two years;**
44 **(3) Two members shall be appointed for a term of three years;**
45 **(4) Three members shall be appointed for a term of four years;**
46 **(5) Three members shall be appointed for a term of five years.**
- 47 **4. The advisory council shall have three non-voting ex-officio members:**
48 **(1) A director of guidance and counseling services at the department of elementary**
49 **and secondary education, or a similar position if such position ceases to exist;**
50 **(2) The director of the division of workforce development; and**
51 **(3) A member of the coordinating board for higher education, as selected by the**
52 **coordinating board.**
- 53 **5. The assistant commissioner for the office of college and career readiness of the**
54 **department of elementary and secondary education shall provide staff assistance to the**
55 **advisory council.**
- 56 **6. The advisory council shall meet at least four times annually. The advisory**
57 **council may make all rules it deems necessary to enable it to conduct its meetings, elect its**
58 **officers, and set the terms and duties of its officers. The advisory council shall elect from**
59 **among its members a chairperson, vice chairperson, a secretary-reporter, and such other**

60 officers as it deems necessary. Members of the advisory council shall serve without
61 compensation but may be reimbursed for actual expenses necessary to the performance of
62 their official duties for the advisory council.

63 7. Any business to come before the advisory council shall be available on the
64 advisory council's internet website at least seven business days prior to the start of each
65 meeting. All records of any decisions, votes, exhibits, or outcomes shall be available on the
66 advisory council's internet website within forty-eight hours following the conclusion of
67 every meeting. Any materials prepared for the members shall be delivered to the members
68 at least five days before the meeting, and to the extent such materials are public records
69 as defined in section 610.010 and are not permitted to be closed under section 610.021, shall
70 be made available on the advisory council's internet website at least five business days in
71 advance of the meeting.

72 8. The advisory council shall make an annual written report to the state board of
73 education and the commissioner of education regarding the development, implementation,
74 and administration of the state budget for career and technical education.

75 9. The advisory council shall annually submit written recommendations to the state
76 board of education and the commissioner of education regarding the oversight and
77 procedures for the handling of funds for student career and technical education
78 organizations.

79 10. The advisory council shall:

80 (1) Develop a comprehensive statewide short- and long-range strategic plan for
81 career and technical education;

82 (2) Identify service gaps and provide advice on methods to close such gaps as they
83 relate to youth and adult employees, workforce development, and employers on training
84 needs;

85 (3) Confer with public and private entities for the purpose of promoting and
86 improving career and technical education;

87 (4) Identify legislative recommendations to improve career and technical education;

88 (5) Promote coordination of existing career and technical education programs;

89 (6) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the
90 manner in which its business may be transacted.

91 11. For purposes of this section, the department of elementary and secondary
92 education shall provide such documentation and information as to allow the advisory
93 council to be effective.

94 12. For purposes of this section, "advisory council" shall mean the career and
95 technical education advisory council.

192.300. 1. The county commissions and the county health center boards of the several
2 counties may make and promulgate orders, ordinances, rules or regulations, respectively as will
3 tend to enhance the public health and prevent the entrance of infectious, contagious,
4 communicable or dangerous diseases into such county, but any orders, ordinances, rules or
5 regulations shall not be in conflict with any rules or regulations authorized and made by the
6 department of health and senior services in accordance with this chapter or by the department
7 of social services under chapter 198. The county commissions and the county health center
8 boards of the several counties may establish reasonable fees to pay for any costs incurred in
9 carrying out such orders, ordinances, rules or regulations, however, the establishment of such
10 fees shall not deny personal health services to those individuals who are unable to pay such fees
11 or impede the prevention or control of communicable disease. Fees generated shall be deposited
12 in the county treasury. All fees generated under the provisions of this section shall be used to
13 support the public health activities for which they were generated. After the promulgation and
14 adoption of such orders, ordinances, rules or regulations by such county commission or county
15 health board, such commission or county health board shall make and enter an order or record
16 declaring such orders, ordinances, rules or regulations to be printed and available for distribution
17 to the public in the office of the county clerk, and shall require a copy of such order to be
18 published in some newspaper in the county in three successive weeks, not later than thirty days
19 after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or
20 association which violates any of the orders or ordinances adopted, promulgated and published
21 by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined
22 as otherwise provided by law. The county commission or county health board of any such
23 county has full power and authority to initiate the prosecution of any action under this section.

24 **2. Beginning August 28, 2013, and notwithstanding any other provision of law or**
25 **this section to the contrary, in any county where there is both a county commission and a**
26 **county health center board, each of these entities shall be required to be in agreement to**
27 **pass orders, ordinances, rules or regulations for the purposes allowed under subsection 1**
28 **of this section. Each entity must pass, by recorded majority vote, identical orders,**
29 **ordinances, rules or regulations. Either the county commission or the county health center**
30 **board may initiate prosecution of violations of such jointly passed orders, ordinances, rules**
31 **or regulations. However, no county prosecutor shall initiate a misdemeanor prosecution**
32 **unless he or she has confirmed compliance with the requirements of this subsection such**
33 **that an order, ordinance, rule or regulation has been verified to have been adopted and**
34 **properly promulgated in accordance with the procedures of both the county commission**
35 **and the county health center board.**

196.311. Unless otherwise indicated by the context, when used in sections 196.311 to
2 196.361:

3 (1) "Consumer" means any person who purchases eggs for his or her own family use or
4 consumption; or any restaurant, hotel, boardinghouse, bakery, or other institution or concern
5 which purchases eggs for serving to guests or patrons thereof, or for its own use in cooking,
6 baking, or manufacturing their products;

7 (2) "Container" means any box, case, basket, carton, sack, bag, or other receptacle.
8 "Subcontainer" means any container when being used within another container;

9 (3) "Dealer" means any person who purchases eggs from the producers thereof, or
10 another dealer, for the purpose of selling such eggs to another dealer, a processor, or retailer;

11 (4) "Denatured" means eggs (a) made unfit for human food by treatment or the addition
12 of a foreign substance, or (b) with one-half or more of the shell's surface covered by a permanent
13 black, dark purple or dark blue dye;

14 (5) "Director" means the director of the department of agriculture;

15 (6) "Eggs" means [eggs in the shell from] **the shell eggs of a domesticated chicken[s]**
16 **, turkey, duck, goose, or guinea that are intended for human consumption;**

17 (7) "Inedible eggs" means eggs which are defined as such in the rules and regulations of
18 the director adopted under sections 196.311 to 196.361, which definition shall conform to the
19 specifications adopted therefor by the United States Department of Agriculture;

20 (8) "Person" means and includes any individual, firm, partnership, exchange, association,
21 trustee, receiver, corporation or any other business organization, and any member, officer or
22 employee thereof;

23 (9) "Processor" means any person engaged in breaking eggs or manufacturing or
24 processing egg liquids, whole egg meats, yolks, whites, or any mixture of yolks and whites, with
25 or without the addition of other ingredients, whether chilled, frozen, condensed, concentrated,
26 dried, powdered or desiccated;

27 (10) "Retailer" means any person who sells eggs to a consumer;

28 (11) "Sell" means offer for sale, expose for sale, have in possession for sale, exchange,
29 barter, or trade.

261.100. Within the limit of funds specifically appropriated for [that] **this** purpose, the
2 director of the department of agriculture may operate an animal export inspection facility
3 meeting the requirements of the United States Department of Agriculture for animal inspection
4 prior to export shipments.

262.750. Notwithstanding any other provision of law, the right to conduct and
2 **participate in rodeos in this state shall be guaranteed and no law, ordinance, or rule shall**
3 **be enacted to prohibit the conducting of or participation in rodeos in this state; except that,**

4 **nothing in this section shall be construed to override the protections under chapter 267 or**
5 **prohibit any reasonable restrictions regarding time, place, and manner consistent with**
6 **other similar events. Promoters of rodeos shall have the authority to establish fees and set**
7 **rules for their specific events, including but not limited to qualifications and procedures**
8 **for participation.**

2 **262.795. Any law to the contrary notwithstanding, a child, as defined in subdivision**
3 **(1) of section 294.011, may perform agricultural work, as defined in subdivision (1) of**
4 **section 290.500, on a farm owned and operated by the child's parent, sibling, grandparent**
5 **or sibling of a parent or, if performed by the child with the knowledge and consent of the**
6 **child's parent, on any family farm, as defined in subdivision (4) of section 350.010, or on**
7 **any family farm corporation, as defined in subdivision (5) of section 350.010, including**
8 **work that would otherwise be prohibited by subdivisions (1), (2), (3), (7), and (12) of section**
9 **294.040; but no such child shall be permitted to engage in any other activities prohibited**
10 **by section 294.040. The term "parent", as used in this section, shall have the same**
11 **meaning as in subdivision (8) of section 294.011. Children engaged in work permitted by**
12 **this section may do so without obtaining a work certificate as required by section 294.024.**
13 **Children engaged in work permitted by this section are not subject to the limitations set**
14 **out in section 294.030 and subsection 4 of section 294.045.**

2 **267.655. In addition to the remedies provided for in sections 267.560 to 267.660 by law,**
3 **the following civil penalties may be imposed:**

4 **(1) If the director determines, after inquiry and opportunity for a hearing, that any**
5 **individual is in violation of any provision of sections 267.560 to 267.660, or any regulations**
6 **issued thereunder, the director shall have the authority to assess a civil penalty of not more**
7 **than one thousand dollars per incident. In the event that a person penalized or ordered**
8 **to pay restitution under this section fails to pay the penalty or restitution, the director may**
9 **apply to the circuit court of Cole County for, and the court is authorized to enter, an order**
10 **enforcing the assessed penalty or restitution;**

11 **(2) The prosecuting attorney of any county in which a violation of any provisions of**
12 **sections 267.560 to 267.660 occurs or the attorney general of the state, is hereby authorized to**
13 **apply to any court of competent jurisdiction for, and such court shall have jurisdiction upon**
14 **hearing and for cause shown to grant a temporary or permanent injunction to restrain any person**
15 **from violating any provisions of sections 267.560 to 267.660.**

2 **304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any**
3 **highway in this state having a greater weight than twenty thousand pounds on one axle, no**
4 **combination of vehicles operated by transporters of general freight over regular routes as defined**
5 **in section 390.020 shall be moved or operated on any highway of this state having a greater**

5 weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not
 6 to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated
 7 on any state highway of this state having a greater weight than thirty-four thousand pounds on
 8 any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one
 9 behind another, the distance between the extremes of which is more than forty inches and not
 10 more than ninety-six inches apart.

11 2. An "axle load" is defined as the total load transmitted to the road by all wheels whose
 12 centers are included between two parallel transverse vertical planes forty inches apart, extending
 13 across the full width of the vehicle.

14 3. Subject to the limit upon the weight imposed upon a highway of this state through any
 15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two
 16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the
 17 maximum load in pounds as set forth in the following table:

18
 19 Distance in feet between the extremes of any group of two or more consecutive axles, measured
 20 to the nearest foot, except where indicated otherwise

		Maximum load in pounds				
23 feet	2 axles	3 axles	4 axles	5 axles	6 axles	
24 4	34,000					
25 5	34,000					
26 6	34,000					
27 7	34,000					
28 8	34,000	34,000				
29 More than 8	38,000	42,000				
30 9	39,000	42,500				
31 10	40,000	43,500				
32 11	40,000	44,000				
33 12	40,000	45,000	50,000			
34 13	40,000	45,500	50,500			
35 14	40,000	46,500	51,500			
36 15	40,000	47,000	52,000			
37 16	40,000	48,000	52,500	58,000		
38 17	40,000	48,500	53,500	58,500		
39 18	40,000	49,500	54,000	59,000		
40 19	40,000	50,000	54,500	60,000		

41	20	40,000	51,000	55,500	60,500	66,000
42	21	40,000	51,500	56,000	61,000	66,500
43	22	40,000	52,500	56,500	61,500	67,000
44	23	40,000	53,000	57,500	62,500	68,000
45	24	40,000	54,000	58,000	63,000	68,500
46	25	40,000	54,500	58,500	63,500	69,000
47	26	40,000	55,500	59,500	64,000	69,500
48	27	40,000	56,000	60,000	65,000	70,000
49	28	40,000	57,000	60,500	65,500	71,000
50	29	40,000	57,500	61,500	66,000	71,500
51	30	40,000	58,500	62,000	66,500	72,000
52	31	40,000	59,000	62,500	67,500	72,500
53	32	40,000	60,000	63,500	68,000	73,000
54	33	40,000	60,000	64,000	68,500	74,000
55	34	40,000	60,000	64,500	69,000	74,500
56	35	40,000	60,000	65,500	70,000	75,000
57	36		60,000	66,000	70,500	75,500
58	37		60,000	66,500	71,000	76,000
59	38		60,000	67,500	72,000	77,000
60	39		60,000	68,000	72,500	77,500
61	40		60,000	68,500	73,000	78,000
62	41		60,000	69,500	73,500	78,500
63	42		60,000	70,000	74,000	79,000
64	43		60,000	70,500	75,000	80,000
65	44		60,000	71,500	75,500	80,000
66	45		60,000	72,000	76,000	80,000
67	46		60,000	72,500	76,500	80,000
68	47		60,000	73,500	77,500	80,000
69	48		60,000	74,000	78,000	80,000
70	49		60,000	74,500	78,500	80,000
71	50		60,000	75,500	79,000	80,000
72	51		60,000	76,000	80,000	80,000
73	52		60,000	76,500	80,000	80,000
74	53		60,000	77,500	80,000	80,000
75	54		60,000	78,000	80,000	80,000
76	55		60,000	78,500	80,000	80,000

77	56	60,000	79,500	80,000	80,000
78	57	60,000	80,000	80,000	80,000
79					

80 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
 81 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
 82 consecutive sets of tandem axles is thirty-six feet or more.

83 4. Whenever the state highways and transportation commission finds that any state
 84 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
 85 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
 86 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
 87 such bridge. The governing body of any city or county may grant authority by act or ordinance
 88 to the state highways and transportation commission to enact the limitations established in this
 89 section on those roadways within the purview of such city or county. Notice of the weight limits
 90 and speed limits established by the commission shall be given by posting signs at a conspicuous
 91 place at each end of any such bridge.

92 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
 93 loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23
 94 of the United States Code.

95 6. Notwithstanding the weight limitations contained in this section, any vehicle or
 96 combination of vehicles operating on highways other than the interstate highway system may
 97 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
 98 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except
 99 as provided in subsections 9 and 10 of this section.

100 7. Notwithstanding any provision of this section to the contrary, the department of
 101 transportation shall issue a single-use special permit, or upon request of the owner of the truck
 102 or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or
 103 well-drillers' equipment. The department of transportation shall set fees for the issuance of
 104 permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete
 105 pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways
 106 at any time on any day.

107 8. Notwithstanding the provision of this section to the contrary, the maximum gross
 108 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
 109 idle reduction technology may be increased by a quantity necessary to compensate for the
 110 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
 111 amended. In no case shall the additional weight increase allowed by this subsection be greater
 112 than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle

113 operator shall provide proof that the idle reduction technology is fully functional at all times and
114 that the gross weight increase is not used for any purpose other than for the use of idle reduction
115 technology.

116 9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the
117 contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or**
118 **agricultural products not including local log trucks as defined in section 301.010** may be
119 as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on
120 U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state
121 line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36,
122 and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17]. The provisions of this
123 subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate
124 and Defense Highways.

125 **(2) Any vehicle hauling greater than eighty thousand pounds under the provisions**
126 **of this subsection shall apply yearly to the department of transportation for a permit and**
127 **upon payment of a twenty-five dollar fee, the department shall grant the applicant a**
128 **permit. Upon renewal of the permit, an applicant shall submit to the department a list of**
129 **roads traveled and the number of miles traveled on each road during the year.**

130 10. Notwithstanding any provision of this section or any other law to the contrary, the
131 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a
132 processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred
133 pounds while operating on highways other than the interstate highway system. The provisions
134 of this subsection shall not apply to vehicles operated and operating on the Dwight D.
135 Eisenhower System of Interstate and Defense Highways.

304.184. Notwithstanding any other provision of law to the contrary, any truck,
2 tractor-trailer or other combination engaged in transporting solid waste, as defined by section
3 260.200, **or engaged in transporting recyclable waste for use in the production of animal**
4 **feed** between any city and a solid waste disposal area [or] , solid waste processing facility, **or**
5 **recycling facility** approved by the department of natural resources [or] , department of health
6 and senior services, **or department of revenue** may operate with a weight not to exceed
7 twenty-two thousand four hundred pounds on one axle or a weight not to exceed forty-four
8 thousand eight hundred pounds on any tandem axle; but nothing in this section shall be construed
9 to permit the operation of any motor vehicle on the interstate highway system in excess of the
10 weight limits imposed by federal statute; and no such truck, tractor-trailer or other combination
11 shall exceed the width and length limitations provided in section 304.190.

323.100. **1.** The director of the department of agriculture shall annually inspect and test
2 all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall

3 condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and
4 specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition
5 and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has
6 been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the
7 mark shall not be removed or defaced except upon authorization of the director of the department
8 of agriculture or his authorized representative. It is the duty of each person owning or in
9 possession of a meter to pay to the director of the department of agriculture at the time of each
10 test a testing fee of ten dollars[, except that the testing fee herein provided for shall not be
11 applied more than once in a calendar year to each meter tested]. **On January 1, 2014, the**
12 **testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be set at**
13 **fifty dollars. On January 1, 2016, and annually thereafter, the director shall ascertain the**
14 **total expenses for administering this section and shall set the testing fee at a rate to cover**
15 **the expenses for the ensuing year but not to exceed seventy-five dollars.**

16 **2. On the first day of October 2014, and each year thereafter, the director of the**
17 **department of agriculture shall submit a report to the general assembly that states the**
18 **current testing fee, the expenses for administering this section for the previous calendar**
19 **year, any proposed change to the testing fee, and estimated expenses for administering this**
20 **section during the ensuing year. The proposed change to the testing fee shall not yield**
21 **revenue greater than the total cost of administering this section during the ensuing year.**

22 **3. Beginning August 28, 2013, and each year thereafter, the director of the**
23 **department of agriculture shall publish the testing fee schedule on the departmental**
24 **website. The website shall be updated within thirty days of a change in the testing fee**
25 **schedule set forth in this section.**

348.521. 1. The authority may issue certificates of guaranty covering a first loss
2 guarantee up to but not more than fifty percent of the loan on a declining principal basis for loans
3 to individuals executing a note or other evidence of a loan made for livestock feed and crop
4 input, but not to exceed the amount of [forty] **one hundred** thousand dollars for any one
5 individual and to pay from the livestock feed and crop input loan guarantee fund to an eligible
6 lender up to fifty percent of the amount on a declining principal basis of any loss on any
7 guaranteed loan made under the provisions of sections 348.515 to 348.533, in the event of
8 default on the loan. Upon payment of the loan, the authority shall be subrogated to all the rights
9 of the eligible lender.

10 **2. As used in sections 348.515 to 348.533, the term "eligible lender" means those entities**
11 **defined as lenders under subdivision (8) of section 348.015.**

12 **3. The authority shall charge for each guaranteed loan a one-time participation fee of**
13 **fifty dollars which shall be collected by the lender at the time of closing and paid to the authority.**

14 In addition, the authority may charge a special loan guarantee fee of up to one percent per annum
15 of the outstanding principal which shall be collected from the borrower by the lender and paid
16 to the authority. Amounts so collected shall be deposited in the livestock feed and crop input
17 loan program fund and used, upon appropriation, to pay the costs of administering the program.

18 4. All moneys paid to satisfy a defaulted guaranteed loan shall only be paid out of the
19 livestock feed and crop input loan guarantee fund established by sections 348.515 to 348.533.

20 5. The total outstanding guaranteed loans shall at no time exceed an amount which,
21 according to sound actuarial judgment, would allow immediate redemption of twenty percent of
22 the outstanding loans guaranteed by the fund at any one time.

413.225. 1. There is established a fee for registration, inspection and calibration services
2 performed by the division of weights and measures. The fees are due at the time the service is
3 rendered and shall be paid to the director by the person receiving the service. The director shall
4 collect fees according to the following schedule and shall deposit them with the state treasurer
5 into [general revenue for the use of the state of Missouri] **the agriculture protection fund as**
6 **set forth in section 261.200:**

7 (1) From August 28, [1994] **2013**, until the next January first, laboratory fees for
8 metrology calibrations shall be at the rate of [twenty-five] **sixty** dollars per hour for tolerance
9 testing [and thirty-five dollars per hour for] **or** precision calibration. Time periods over one hour
10 shall be computed to the nearest **one quarter** hour. On the first day of January, [1995] **2014**, and
11 each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for
12 the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing
13 year at a rate per hour [which shall not exceed sixty dollars per hour for either method but shall
14 not be less than twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour
15 for precision calibration,] as will yield revenue not more than the total cost of operating the
16 metrology laboratory during the ensuing year;

17 (2) [From August 28, 1994, until the next January first,] All [scale] **device** test fees [shall
18 be] charged [as follows] **shall include, but not be limited to, the following devices:**

19 (a) Small scales [shall be five dollars for each counter scale, ten dollars for platform
20 scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one
21 thousand-pound capacity];

22 (b) Vehicle scales [shall be fifty dollars each for the initial test and seventy-five dollars
23 for each subsequent test within the same calendar year];

24 (c) Livestock scales [shall be seventy-five dollars each for the initial test, and one
25 hundred dollars for each subsequent test within the same calendar year];

26 (d) Hopper scales [with a capacity of one thousand pounds or less shall be ten dollars
27 each; for each hopper scale with a capacity of more than one thousand pounds up to and

28 including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a
29 capacity of more than two thousand pounds up to and including ten thousand pounds, the fee
30 shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand
31 pounds, the test fee shall be seventy-five dollars each];

32 (e) Railroad scales [shall be fifty dollars each];

33 (f) Monorail scales [shall be twenty-five dollars each for the initial test and fifty dollars
34 for each subsequent test in the same calendar year];

35 (g) [Participation in on-site field evaluations of devices for National Type Evaluation
36 Program certification and all tests of] In-motion scales including but not limited to vehicle,
37 railroad and belt conveyor scales [will be charged at the rate of thirty dollars per hour, plus
38 mileage from the inspector's official domicile to and from the inspection site. The time shall
39 begin when the state inspector performing the inspection arrives at the site to be inspected and
40 shall end when the final report is signed by the owner/operator and the inspector departs];

41 [(3) From August 28, 1994, until the next January first, certification of]

42 (h) Taximeters [shall be five dollars per meter];

43 (i) Timing devices[, five dollars per device];

44 (j) Fabric-measuring devices[,] ;

45 (k) Wire- and cordage-measuring devices[, five dollars per device];

46 (l) Milk for quantity determination[, twenty-five dollars per plant inspected]; **and**

47 [(4) From August 28, 1994, until the next January first, certification of]

48 (m) Vehicle tank meters [shall be twenty-five dollars each for the initial test and fifty
49 dollars for each subsequent test in the same calendar year];

50 **(3) Devices that require participation in on-site field evaluations for National Type**
51 **Evaluation Program Certification and all tests of in-motion scales shall be charged a fee,**
52 **plus mileage from the inspector's official domicile to and from the inspection site. The time**
53 **shall begin when the state inspector performing the inspection arrives at the site to be**
54 **inspected and shall end when the final report is signed by the owner/operator and the**
55 **inspector departs;**

56 [(5)] (4) Every person shall register each location of such person's place of business
57 where devices or instruments are used to ascertain the moisture content of grains and seeds
58 offered for sale, processing or storage in this state with the director and shall pay a registration
59 fee [of ten dollars] for each location so registered and a fee [of five dollars] for each additional
60 device or instrument at such location. Thereafter, by January thirty-first of each year, each
61 person who is required to register pursuant to this subdivision shall pay an annual fee [of ten
62 dollars] for each location so registered and an additional [five dollars] fee for each additional
63 machine at each location. The fee on newly purchased devices shall be paid within thirty days

64 after the date of purchase. Application for registration of a place of business shall be made on
65 forms provided by the director and shall require information concerning the make, model and
66 serial number of the device and such other information as the director shall deem necessary.
67 Provided, however, this subsection shall not apply to moisture-measuring devices used
68 exclusively for the purpose of obtaining information necessary to manufacturing processes
69 involving plant products. In addition to fees required by this subdivision, a fee [of ten dollars]
70 shall be charged for each device subject to retest.

71 2. On the first day of January, 1995, and each year thereafter, the director of agriculture
72 shall ascertain the total receipts and expenses for the testing of weighing and measuring devices
73 referred to in subdivisions (2), (3), **and (4)** [and (5)] of subsection 1 of this section and shall fix
74 the fees or rate per hour for such weighing and measuring devices to derive revenue not more
75 than the total cost of the operation[, but such fees shall not be fixed in amounts less than the
76 amounts contained in subdivisions (2), (3), (4) and (5) of subsection 1 of this section].

77 3. [Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions
78 (4) and (5) of subsection 1,] **On the first day of October 2014, and each year thereafter, the**
79 **director of the department of agriculture shall submit a report to the general assembly that**
80 **states the current laboratory fees for metrology calibration, the expenses for administering**
81 **this section for the previous calendar year, any proposed change to the laboratory fee**
82 **structure, and estimated expenses for administering this section during the ensuing year.**
83 **The proposed change to the laboratory fee structure shall not yield revenue greater than**
84 **the total cost of administering this section during the ensuing year.**

85 4. **Beginning August 28, 2013, and each year thereafter, the director of the**
86 **department of agriculture shall publish the laboratory fee schedule on the departmental**
87 **website. The website shall be updated within thirty days of a change in the laboratory fee**
88 **schedule set forth in this section.**

89 5. Retests for any device within the same calendar year will be charged at the same rate
90 as the initial test. Devices being retested in the same calendar year as a result of rejection and
91 repair are exempt from the requirements of this subsection.

92 [4.] 6. All device inspection fees shall be paid within thirty days of the issuance of the
93 original invoice. Any fee not paid within ninety days after the date of the original invoice will
94 be cause for the director to deem the device as incorrect and it may be condemned and taken out
95 of service, and may be seized by the director until all fees are paid.

96 [5.] 7. No fee provided for by this section shall be required of any person owning or
97 operating a moisture-measuring device or instrument who uses such device or instrument solely
98 in agricultural or horticultural operations on such person's own land, and not in performing
99 services, whether with or without compensation, for another person.

570.030. 1. A person commits the crime of stealing if he or she appropriates property
2 or services of another with the purpose to deprive him or her thereof, either without his or her
3 consent or by means of deceit or coercion.

4 2. Evidence of the following is admissible in any criminal prosecution pursuant to this
5 section on the issue of the requisite knowledge or belief of the alleged stealer:

6 (1) That he or she failed or refused to pay for property or services of a hotel, restaurant,
7 inn or boardinghouse;

8 (2) That he or she gave in payment for property or services of a hotel, restaurant, inn or
9 boardinghouse a check or negotiable paper on which payment was refused;

10 (3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not
11 pay for property or services;

12 (4) That he or she surreptitiously removed or attempted to remove his or her baggage
13 from a hotel, inn or boardinghouse;

14 (5) That he or she, with intent to cheat or defraud a retailer, possesses, uses, utters,
15 transfers, makes, alters, counterfeits, or reproduces a retail sales receipt, price tag, or universal
16 price code label, or possesses with intent to cheat or defraud, the device that manufactures
17 fraudulent receipts or universal price code labels.

18 3. Notwithstanding any other provision of law, any offense in which the value of
19 property or services is an element is a class C felony if:

20 (1) The value of the property or services appropriated is five hundred dollars or more but
21 less than twenty-five thousand dollars; or

22 (2) The actor physically takes the property appropriated from the person of the victim;
23 or

24 (3) The property appropriated consists of:

25 (a) Any motor vehicle, watercraft or aircraft; or

26 (b) Any will or unrecorded deed affecting real property; or

27 (c) Any credit card or letter of credit; or

28 (d) Any firearms; or

29 (e) Any explosive weapon as defined in section 571.010; or

30 (f) A United States national flag designed, intended and used for display on buildings
31 or stationary flagstaffs in the open; or

32 (g) Any original copy of an act, bill or resolution, introduced or acted upon by the
33 legislature of the state of Missouri; or

34 (h) Any pleading, notice, judgment or any other record or entry of any court of this state,
35 any other state or of the United States; or

36 (i) Any book of registration or list of voters required by chapter 115; or

- 37 (j) Any animal considered livestock as that term is defined in section 144.010; or
38 (k) Live fish raised for commercial sale with a value of seventy-five dollars; or
39 (l) Captive wildlife held under permit issued by the conservation commission; or
40 (m) Any controlled substance as defined by section 195.010; or
41 (n) Anhydrous ammonia;
42 (o) Ammonium nitrate; or
43 (p) Any document of historical significance which has fair market value of five hundred
44 dollars or more.

45 **4. Notwithstanding any other provision of law, stealing of any animal considered**
46 **livestock, as that term is defined in section 144.010, is a class B felony.**

47 **5.** If an actor appropriates any material with a value less than five hundred dollars in
48 violation of this section with the intent to use such material to manufacture, compound, produce,
49 prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such
50 violation is a class C felony. The theft of any amount of anhydrous ammonia or liquid nitrogen,
51 or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class B felony.
52 The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail
53 tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

54 [5.] **6.** The theft of any item of property or services pursuant to subsection 3 of this
55 section which exceeds five hundred dollars may be considered a separate felony and may be
56 charged in separate counts.

57 [6.] **7.** Any person with a prior conviction of paragraph (j) or (l) of subdivision (3) of
58 subsection 3 of this section and who violates the provisions of paragraph (j) or (l) of subdivision
59 (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three
60 thousand dollars is guilty of a class B felony. Notwithstanding any provision of law to the
61 contrary, such person shall serve a minimum prison term of not less than eighty percent of his
62 or her sentence before he or she is eligible for probation, parole, conditional release, or other
63 early release by the department of corrections.

64 [7.] **8.** Any offense in which the value of property or services is an element is a class B
65 felony if the value of the property or services equals or exceeds twenty-five thousand dollars.

66 [8.] **9.** Any violation of this section for which no other penalty is specified in this section
67 is a class A misdemeanor.

578.009. 1. A person is guilty of animal neglect [when] if he has custody or ownership
2 or both of an animal and fails to provide adequate care [or adequate control, which results in
3 substantial harm to the animal]. **As used in this section, the term “custody” shall only apply**
4 **to an agent or employee of the owner who is in possession of the animal.**

5 2. A person is guilty of abandonment [when] if he has knowingly abandoned an animal
6 in any place without making provisions for its adequate care.

7 3. Animal neglect and abandonment is a class C misdemeanor upon first conviction and
8 for each offense, punishable by imprisonment or a fine not to exceed five hundred dollars, or
9 both, and a class B misdemeanor punishable by imprisonment or a fine not to exceed one
10 thousand dollars, or both upon the second and all subsequent convictions. All fines and penalties
11 for a first conviction of animal neglect or abandonment may be waived by the court provided that
12 the person found guilty of animal neglect or abandonment shows that adequate, permanent
13 remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care
14 and maintenance of neglected or abandoned animals may not be waived. This section shall not
15 apply to the provisions of section 578.007 or sections 272.010 to 272.370.

16 4. In addition to any other penalty imposed by this section, the court may order a person
17 found guilty of animal neglect or abandonment to pay all reasonable costs and expenses
18 necessary for:

19 (1) The care and maintenance of neglected or abandoned animals within the person's
20 custody or ownership;

21 (2) The disposal of any dead or diseased animals within the person's custody or
22 ownership;

23 (3) The reduction of resulting organic debris affecting the immediate area of the neglect
24 or abandonment; and

25 (4) The avoidance or minimization of any public health risks created by the neglect or
26 abandonment of the animals.

**578.011. 1. A person is guilty of animal trespass if a person having ownership or
2 custody of an animal knowingly fails to provide adequate control for a period equal to or
3 exceeding twelve hours. As used in this section, the term "custody" shall apply only to an
4 agent or employee of the owner who is in possession of the animal.**

5 **2. Animal trespass is an infraction upon first conviction and for each offense
6 punishable by a fine not to exceed two hundred dollars, and a class C misdemeanor
7 punishable by imprisonment or a fine not to exceed five hundred dollars, or both, upon the
8 second and all subsequent convictions. All fines for a first conviction of trespass may be
9 waived by the court provided that the person found guilty of animal trespass shows that
10 adequate, permanent remedies for trespass have been made. Reasonable costs incurred
11 for the care and maintenance of trespassing animals may not be waived. This section shall
12 not apply to the provisions of section 578.007 or sections 272.010 to 272.370.**

578.012. 1. A person is guilty of animal abuse [when] if a person:

2 (1) Intentionally or purposely kills an animal in any manner not allowed by or expressly
3 exempted from the provisions of sections 578.005 to 578.023 and 273.030;

4 (2) Purposely or intentionally causes injury or suffering to an animal; or

5 (3) Having ownership or custody of an animal knowingly fails to provide adequate care
6 [or adequate control] **which results in substantial harm to the animal. As used in this**
7 **section, the term “custody” shall apply only to an agent or employee of the owner who is**
8 **in possession of the animal. As used in this section, the term “substantial harm” shall mean**
9 **a significant risk of fatal consequences or material injury or suffering.**

10 2. Animal abuse is a class A misdemeanor, unless the defendant has previously [plead]
11 **pled** guilty to or has been found guilty of animal abuse or the suffering involved in subdivision
12 (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously
13 inflicted while the animal was alive, in which case it is a class D felony.

Section 1. 1. Any regulations promulgated by the department of agriculture
2 **relating to trichomoniasis must include that a thorough epidemiological investigation be**
3 **conducted, including but not limited to, interviewing neighboring herd owners.**

4 **2. Producers may send any trichomoniasis samples to any testing laboratory**
5 **accredited by the American Association of Veterinary Laboratory Diagnosticians or**
6 **National Animal Health Laboratory Network for analysis.**

7 **3. Any cattle initially testing positive for trichomoniasis may be retested within ten**
8 **days of the initial test. If the producer does not retest the animal within ten days of the**
9 **initial test, the animal shall be considered trichomoniasis positive. If the retest is positive**
10 **for trichomoniasis, the animal shall be considered trichomoniasis positive. If the retest is**
11 **negative, the producer must conduct a third trichomoniasis test on the animal. If the third**
12 **test is negative, the animal shall be considered trichomoniasis negative.**

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