

JOURNAL OF THE HOUSE

Second Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SECOND DAY, TUESDAY, APRIL 15, 2014

The House met pursuant to adjournment.

Speaker Pro Tem Hoskins in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is gracious and full of compassion; slow to anger and of great mercy. (Psalm 145:8)

O Lord Almighty, by whose mercy we have come to the beginning of another day, grant that we may enter it with humble and contrite hearts. Confirm our purpose to walk more sincerely in Your way and to work more surely in Your service.

Let not the mistakes of the past master us but forgive and set us free. Lead us into a closer companionship with You that we may continue to walk in the ways of honesty, truth, and good will. Give us the confidence that strengthens, the faith that breeds courage, and the integrity of mind that holds us steady amid the pressures of this long day!

Lay Your hand in blessing upon each one of us on this taxday. Make us worthy of this day, adequate for our tasks, and ready to lead our state into the paths of peace.

And the House says, "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: Jacie Buschjost.

The Journal of the fifty-first day was approved as corrected.

SPECIAL RECOGNITION

Representative Crawford introduced the Boys Quartet from the Agape Boarding School, who performed "America" ("My Country 'Tis of Thee").

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1992 through House Resolution No. 2067

PERFECTION OF HOUSE BILLS

HCS HB 1075, relating to unclaimed property, was taken up by Representative Miller.

On motion of Representative Miller, **HCS HB 1075** was adopted.

On motion of Representative Miller, **HCS HB 1075** was ordered perfected and printed.

HCS HB 1690, relating to alternative nicotine or vapor products, was taken up by Representative Rowden.

On motion of Representative Rowden, **HCS HB 1690** was adopted.

On motion of Representative Rowden, **HCS HB 1690** was ordered perfected and printed.

HCS HB 1078, relating to public water systems, was taken up by Representative Lichtenegger.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1078, Page 1, Section 640.136, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"any meeting at which said vote will occur. Any public water system or public water supply"; and

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

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

On motion of Representative Lichtenegger, **HCS HB 1078, as amended**, was adopted.

On motion of Representative Lichtenegger, **HCS HB 1078, as amended**, was ordered perfected and printed.

HCS HB 1336, relating to insurance holding companies, was taken up by Representative Gosen.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1336, Page 2, Section 382.010, Line 27, by deleting from said line the section number "**375.359**" and inserting in lieu thereof the section number "**375.1080**"; and

Further amend said bill, Page 5, Section 382.040, Line 24, by striking the numeral "**5**" and inserting in lieu thereof the numeral "**7**"; and

Further amend said bill, Page 17, Section 382.195, Line 8, by striking the following: "or extensions of credit, guarantees," and inserting in lieu thereof the following: "[or], extensions of credit, [guarantees,]"; and

Further amend said bill, Page 18, Section 382.195, Line 23, by inserting immediately after the word "liabilities" the following: ", **or the projected reinsurance premium or a change in the insurer's liabilities in any of the next three years,**"; and

Further amend said bill, Page 19, Section 382.195, Line 63, by striking the word "**fifty**" and inserting in lieu thereof the word "**ten**"; and

Further amend said bill, Page 20, Section 382.220, Line 31, by inserting immediately after all of said line the following:

"6. In the event the insurer fails to comply with an order, the director shall have the power to examine the affiliates to obtain the information. The director shall have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the director may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obligated to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in section 491.280, which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses and their testimony, shall be itemized and charged against, and be paid by, the company being examined."; and

Further amend said bill, Page 21, Section 382.230, Lines 30 and 31, by striking the following: ", **prior to receiving any such documents, materials, or information,**"; and

Further amend said bill, Page 23, Section 382.230, Lines 83 to 86, by striking all of said lines; and

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

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

On motion of Representative Gosen, **HCS HB 1336, as amended**, was adopted.

On motion of Representative Gosen, **HCS HB 1336, as amended**, was ordered perfected and printed.

HCS HB 1882, relating to administrative requirements of public employee retirement plans, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 1882** was adopted.

On motion of Representative Leara, **HCS HB 1882** was ordered perfected and printed.

HB 1615, relating to the sale of intoxicating liquor on boats, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **HB 1615** was ordered perfected and printed.

HB 1998, relating to the Large Animal Veterinary Student Loan Program, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **HB 1998** was ordered perfected and printed.

HCS HB 1250, relating to student assessment, was taken up by Representative Wood.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1250, Page 1, Section 160.517, Line 18, by inserting after all of said line the following:

"5. Neither the department nor any entity contracting with the department for assessment shall share personally identifiable teacher or student data from assessment outside the department without written consent of the teacher, the student's parent, or the student, if the student is an emancipated minor.

6. The department may allow aggregate student or teacher data from assessment to be transmitted to an executive agency of:

(1) The federal government for purposes of determining compliance with federal mandates and programs based on child counts; or

(2) The state government for purposes of determining compliance with state mandates or for purposes of an audit."; and

Further amend said bill, Page 2, Section 160.517, Line 19, by deleting "5." and inserting in lieu thereof "7.";
and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1250, Page 1, Section 160.517, Line 10, by inserting after all of said line the following:

"2. The department of elementary and secondary education shall pilot assessments from the Smarter Balance Consortium during the 2014-15 school year for every school district and charter school in the state. The results of the statewide pilot shall not be used for high stakes accountability or public school district accreditation decisions or teacher evaluation for the 2014-15 school year."; and

Further amend said bill, Page 1, Section 160.517, Line 11, by deleting "2." and inserting in lieu thereof "3.";
and

Further amend said bill, Page 1, Section 160.517, Line 15, by deleting "3." and inserting in lieu thereof "4.";
and

Further amend said bill, Page 1, Section 160.517, Line 17, by deleting "4." and inserting in lieu thereof "5.;"
and

Further amend said bill, Page 2, Section 160.517, Line 19, by deleting "5." and inserting in lieu thereof "6.;"
and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1250, Page 1, in the title, Line 3, by deleting the words "student assessment" and inserting in lieu thereof the words "elementary and secondary education"; and

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

"160.047. The department of elementary and secondary education shall develop a process and scoring guide that rewards districts by providing additional performance points on the school improvement program for providing free full-day kindergarten to students who qualify for free or reduced price lunch, students who are receiving special educational services under an individualized education program, and students who are identified by school staff as at-risk through attendance patterns, disciplinary incidents, or academic screening."; and

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

On motion of Representative Montecillo, **House Amendment No. 3** was adopted.

Speaker Jones assumed the Chair.

On motion of Representative Wood, **HCS HB 1250, as amended**, was adopted.

On motion of Representative Wood, **HCS HB 1250, as amended**, was ordered perfected and printed.

HCS#2 HBs 1100 & 1421, relating to food preparation, was taken up by Representative Fraker.

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

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill Nos. 1100 & 1421, Page 1, Section 196.056, Line 11, by inserting after all of said line the following:

"5. Nothing in this section shall be construed to prohibit the authority of the department of health and senior services or local health departments to conduct an investigation of a foodborne disease or outbreak."; and

Further amend said bill, Page 2, Section 196.298, Line 32, by inserting after the word, "**department**" the words, "**of health and senior services or local health departments**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill Nos. 1100 & 1421, Page 1, Section 196.056, Line 11, by inserting immediately after said line the following:

"The provisions of this section shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, and any city not within a county."; and

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

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

Representative McCann Beatty offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill Nos. 1100 & 1421, Page 1, Section 196.056, Line 11, by inserting immediately after said line the following:

"5. The provisions of this section shall not apply to any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants."; and

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

On motion of Representative McCann Beatty, **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Committee Substitute No. 2 for House Bill Nos. 1100 & 1421, Page 1, Section 196.056, Line 11, by inserting immediately after said line the following:

"5. The provisions of this section shall not apply to any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants and any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants."; and

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

Representative Burlison offered **House Amendment No. 1 to House Amendment No. 4.**

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

AMEND House Amendment No. 4 to House Committee Substitute No. 2 for House Bill Nos. 1100 & 1421, Page 1, Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

"5. The provisions of this section shall not apply to any"; and

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

On motion of Representative Burlison, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Rowden, **House Amendment No. 4, as amended,** was adopted.

On motion of Representative Fraker, **HCS#2 HBs 1100 & 1421, as amended,** was adopted.

On motion of Representative Fraker, **HCS#2 HBs 1100 & 1421, as amended,** was ordered perfected and printed.

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

AFTERNOON SESSION

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

PERFECTION OF HOUSE BILLS

HCS HB 2125, relating to diabetes prevention, was taken up by Representative Franklin.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2125, Page 1, in the title, Line 2, by deleting the words "diabetes prevention" and inserting in lieu thereof the words "public health"; and

Further amend said bill and page, Section 191.990, Lines 12 and 13, by deleting the words "**American Diabetes Association**"; and

Further amend said bill and section, Page 2, Line 33, by inserting after all of said section and line the following:

"191.1140. 1. Subject to appropriations, the University of Missouri shall manage the "Show-Me Extension for Community Health Care Outcomes (ECHO) Program". The department of health and senior services shall collaborate with the University of Missouri in utilizing the program to expand the capacity to safely and effectively treat chronic, common, and complex diseases in rural and underserved areas of the state and to monitor outcomes of such treatment.

2. The program is designed to utilize current telehealth technology to disseminate knowledge of best practices for the treatment of chronic, common, and complex diseases from a multidisciplinary team of medical experts to local primary care providers who will deliver the treatment protocol to patients, which will alleviate the need of many patients to travel to see specialists and will allow patients to receive treatment more quickly.

3. The program shall utilize local community health care workers with knowledge of local social determinants as a force multiplier to obtain better patient compliance and improved health outcomes."; and

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

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

Representative Diehl assumed the Chair.

On motion of Representative Franklin, **HCS HB 2125, as amended**, was adopted.

On motion of Representative Franklin, **HCS HB 2125, as amended**, was ordered perfected and printed.

HCS HB 1377, relating to the Survivor's and Disabled Employee's Educational Grant Program, was taken up by Representative Walker.

On motion of Representative Walker, **HCS HB 1377** was adopted.

On motion of Representative Walker, **HCS HB 1377** was ordered perfected and printed.

HB 1883, relating to the General Assembly, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1883** was ordered perfected and printed.

HCS HB 1124, relating to motor vehicles, was taken up by Representative Kolkmeier.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1124, Page 1, Section 301.010, Lines 5-7, by deleting all of said lines and inserting in lieu thereof the following:

"thousand five hundred pounds or less, traveling on three, four or more nonhighway tires [, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control];"; and

Further amend said bill and section, Page 6, Lines 165-167, by deleting all of said lines and inserting in lieu thereof the following:

"exclusively for off-highway use which is [sixty-four] **more than fifty inches** [or less] **but no more than sixty-seven inches** in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires [, with a nonstraddle seat, and steering wheel,] **and** which may have access to ATV trails;"; and

Further amend said bill and section, Page 8, Line 259, by deleting all of said line and inserting in lieu thereof the following:

"off-highway use which is [sixty-three] **more than fifty inches** [or less] **but no more than sixty-seven inches** in width, with an unladen dry"; and

Further amend said bill and section, Page 9, Line 282, by inserting immediately after said line the following:

"301.700. All-terrain vehicles shall be treated in the same manner as motor vehicles, pursuant to this chapter, for the purposes of transfer, titling, perfection of liens and encumbrances, and the collection of all taxes, fees and other charges. Funds collected by the department of revenue pursuant to sections 301.700 to 301.714 shall be deposited by the director in the state treasury to the credit of the general revenue fund. **An applicant that purchases a used all-terrain vehicle after August 28, 2014, that was defined as a utility or recreation off-highway vehicle prior to August 28, 2014, may present a notarized bill of sale as evidence of lawful ownership.**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1124, Page 9, Section 301.010, Line 282, by inserting after all of said line the following:

"301.3172. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special personalized motor vehicle license plates for any vehicle she owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such woman shall apply for the special personalized license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service, payment of a fee of fifteen dollars in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of

revenue shall issue to the vehicle owner special personalized license plates which shall bear the words “WOMAN VETERAN” at the bottom of the plates in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for a vehicle owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director shall consult with the Missouri Veterans Commission when determining or designing the image which shall be placed on the plates authorized under this section.

8. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.”; and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Comejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr. Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtman	Ellinger	Entlicher	Grisamore	Guemsey
Hodges	Jones 50	LaFaver	Remole	Riddle
Schamhorst	Zer			

VACANCIES: 003

On motion of Representative Kolkmeier, **HCS HB 1124, as amended**, was adopted.

On motion of Representative Kolkmeier, **HCS HB 1124, as amended**, was ordered perfected and printed.

HCS HB 1689, relating to early childhood education, was taken up by Representative Swan.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1689, Page 1, in the title, Line 3, by deleting the phrase "early childhood education" and inserting in lieu thereof the words "elementary and secondary education"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

"160.047. The department of elementary and secondary education shall develop a process and scoring guide that rewards districts by providing additional performance points on the school improvement program for providing free full-day kindergarten to students who qualify for free or reduced price lunch, students who are receiving special educational services under an individualized education program, and students who are identified by school staff as at-risk through attendance patterns, disciplinary incidents, or academic screening."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1689, Page 3, Section 160.055, Line 26, by inserting immediately after said line the following:

"162.1265. 1. The department of elementary and secondary education shall develop and implement a grant program for unaccredited and provisionally accredited districts that commit to extended instructional time for the purpose of improving academic achievement, including but not limited to early childhood education. Such grants shall be for a two-year term and shall be renewable for up to three additional two-year terms.

2. To be eligible for a grant a school district shall:

(1) Demonstrate that it has analyzed its current use of instructional time and determined the potential effects of additional instructional time on student academic achievement. The analysis shall also include a study of the potential effects of extended instructional time on assignments of personnel and on the need for professional development; and

(2) Provide a rationale for the method of adding instructional time, whether it is a longer school year, longer day, fewer days between school years or school terms, or early childhood program, as applied to the chosen target student population which may include an entire school district, particular building, or small group.

3. Grant award amounts shall be proportional to additional instructional time over the minimum hours required by law and the average daily attendance rate of the affected students. Unaccredited districts shall receive priority.

4. There is hereby established in the state treasury a fund to be known as the "Extended Instructional Time Fund", which shall consist of all moneys that may be appropriated to it by the general assembly, and in addition may include any gifts, contributions, grants, or bequests received from federal, state, private, or other sources. The fund shall be administered by the department of elementary and secondary education. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, moneys in the fund shall be used solely for the administration of the extended instructional time program. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void."; and

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

Representative McNeil moved that **House Amendment No. 2** be adopted.

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

AYES: 072

Allen	Anders	Barnes	Bernskoetter	Black
Bums	Butler	Carpenter	Colona	Conway 10
Conway 104	Curtis	Dunn	Ellington	Engler
English	Englund	Fitzwater	Flanigan	Frame
Gannon	Gardner	Gosen	Guernsey	Haahr
Haefner	Harris	Hicks	Hoskins	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	Lichtenegger

May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Miller
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Rowden	Runions
Schieffer	Schupp	Shumake	Smith	Swan
Swearingen	Torpey	Walton Gray	Webber	Wood
Wright	Zer			

NOES: 074

Anderson	Austin	Bahr	Berry	Brattin
Brown	Burlison	Cierpiot	Comejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohman	Dugger	Elmer	Fitzpatrick	Fraker
Frederick	Funderburk	Gatschenberger	Hampton	Hansen
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Justus	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McGaugh	Messenger
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Reiboldt	Rhoads	Richardson	Riddle
Ross	Rowland	Schatz	Schieber	Shull
Solon	Sommer	Spencer	Thomson	Walker
White	Wieland	Wilson	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Cookson	Ellinger	Entlicher	Franklin	Grisamore
Hodges	Jones 50	Keeney	LaFaver	Molendorp
Rehder	Remole	Schamhorst	Stream	

VACANCIES: 003

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1689, Page 3, Section 160.055, Line 26, by inserting after all of said line the following:

"161.216. 1. No public institution of higher education, political subdivision, governmental entity, or quasi-governmental entity receiving state funds shall operate, establish, or maintain, offer incentives to participate in, or mandate participation in a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education, unless the authority to operate, establish, or maintain such a system is enacted into law through:

- (1) A bill as prescribed by article III of the Missouri Constitution;
- (2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or
- (3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

2. No public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to operate, establish, or maintain a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless such public institution of higher education, political subdivision, governmental entity or

quasi-governmental entity receiving state funds has received statutory authority to do so in a manner consistent with subsection 1 of this section.

3. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against any public institution of higher education, political subdivision, governmental entity or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider.

5. For purposes of this section:

(1) "Early childhood education" shall mean education programs that are both centered and home-based and providing services for children from birth to [kindergarten] **age three**;

(2) "Quality rating system" or "training quality assurance system" shall include the model from the Missouri quality rating system pilots developed by the University of Missouri center for family policy and research, any successor model, or substantially similar model. "Quality rating system" or "training quality assurance system" shall also include but not be limited to a tiered rating system that provides a number of tiers or levels to set benchmarks for quality that build upon each other, leading to a top tier that includes program accreditation. "Quality rating system" or "training quality assurance system" may also include a tiered reimbursement system that may be tied to a tiered rating system;

(3) "Tiered reimbursement system" or "training quality assurance system" shall include but not be limited to a system that links funding to a quality rating system, a system to award higher child care subsidy payments to programs that attain higher quality levels, or a system that offers other incentives through tax policy or professional development opportunities for child care providers."; and

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

On motion of Representative Allen, **House Amendment No. 3** was adopted.

On motion of Representative Swan, **HCS HB 1689, as amended**, was adopted.

On motion of Representative Swan, **HCS HB 1689, as amended**, was ordered perfected and printed.

HCS HB 1739, relating to electronic signatures, was taken up by Representative McGaugh.

Speaker Pro Tem Hoskins resumed the Chair.

On motion of Representative McGaugh, **HCS HB 1739** was adopted.

On motion of Representative McGaugh, **HCS HB 1739** was ordered perfected and printed.

HB 1865, relating to tax exemptions for utilities used in food preparation, was taken up by Representative Redmon.

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

House Amendment No. 1

AMEND House Bill No. 1865, Page 9, Section 144.030, Lines 292 through 296, by deleting all of said lines and inserting in lieu thereof the following:

"(43) Electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials, or other utilities which are ultimately consumed

or used in connection with the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to the manufacturing, processing, preparing, furnishing, compounding, or producing of food that is ultimately sold to customers at a restaurant, cafeteria, fast food restaurant, delicatessen, bakery, grocery store, convenience store, or other similar facility engaged in selling prepared food for consumption on or off the premises of the establishment."; and

Further amend said section, Page 10, Line 308, by inserting after all of said line the following:

"144.055. As used in subdivision (43) of subsection 2. of section 144.030, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce such materials or products to a different state, thing, or product, including treatment necessary to maintain or preserve such processing by the producer at the location at which the food product is produced."; and

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

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

On motion of Representative Redmon, **HB 1865, as amended**, was ordered perfected and printed.

HCS HB 1801, relating to the Facilitating Business Rapid Response to State Declared Disasters Act, was taken up by Representative White.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1801, Page 4, Section 190.275, Lines 6 through 9, by deleting all of said lines and inserting in lieu thereof the following:

"(2) "Disaster period", the period of time that begins ten days before the governor's proclamation of a state of emergency or the declaration by the President of the United States of a major disaster or emergency, whichever occurs first, and extending for a period of sixty calendar days following the end of the period specified in the proclamation or declaration or sixty calendar days from the proclamation or declaration if no end is provided. The governor may extend the disaster period as warranted."; and

Further amend said bill, page, and section, Lines 10 through 17, by deleting all of said lines and inserting in lieu thereof the following:

"(3) "Infrastructure", property and equipment owned or used by a public utility, communications network, broadband and internet service provider, cable and video service provider, gas distribution system, or water pipeline that provides service to more than one customer or person, including related support facilities. Infrastructure includes real and personal property such as buildings, offices, power lines, cable lines, poles, communication lines, pipes, structures, and equipment."; and

Further amend said bill and section, Page 5, Line 35, by deleting the words, "or reside"; and

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

Representative Diehl resumed the Chair.

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

On motion of Representative White, **HCS HB 1801, as amended**, was adopted.

On motion of Representative White, **HCS HB 1801, as amended**, was ordered perfected and printed.

HCS HB 1308, relating to the Higher Education Academic Scholarship Program, was taken up by Representative Thomson.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1308, Page 1, Section 173.250, Lines 12 to 17, by deleting all of said lines and inserting in lieu thereof the following:

"(4) **"Continuous enrollment", successful completion of at least twenty-four semester credit hours by the conclusion of the twelve months following a renewal student's initial enrollment and thirty additional semester credit hours at the conclusion of each subsequent twelve-month period. Credit for work completed prior to completion of secondary coursework, including but not limited to dual credit or dual enrollment, may be counted in the continuous enrollment calculation as determined by the department of higher education;**

(5) **"Cost of attendance", the estimated full and reasonable cost of completing a full academic year as a full-time student;**

(6) **"Eligible borrower", an eligible student beginning in academic year 2014-15 who completed secondary coursework in the 2013-14 school year or subsequent year and elects to receive a forgivable loan or loans under the provisions of this section;"**; and

Further amend said bill and section, Pages 2 and 3, by renumbering subdivisions (6) to (11) as (7) to (12); and

Further amend said bill and section, Page 3, Lines 74 to 78, by deleting all of said lines and inserting in lieu thereof the following:

"[(8)] (13) **"Renewal student", an eligible student who remains in compliance with the provisions of section 173.1104, receives a scholarship payment during each academic year, maintains continuous enrollment, and makes satisfactory academic degree progress; and"**; and

Further amend said bill, page, and section, Line 79, by renumbering subdivision (13) as (14); and

Further amend said bill and section, Page 5, Lines 140 and 141, by deleting all of said lines and inserting in lieu thereof the following:

"10. If an eligible student is unable to maintain continuous enrollment as required by subdivision (4) of subsection 2 of this section due to serious and unusual personal"; and

Further amend said bill, section, and page, Lines 146 to 151, by deleting all of said lines and inserting in lieu thereof the following:

"11. An eligible borrower, including such individual as a renewal student, may elect to receive forgivable loans for up to ten semesters, or their equivalent. The amount of the loan shall not exceed tuition and required fees, as defined in this subsection, minus the amount of the academic scholarship. In the case of a community college, the tuition and required fees shall be the out-of-district charge for the highest tuition and required fees as reported each year to the department by an institution of that sector; at other approved public institutions, as defined in section 173.1102, the tuition and required fees shall be the tuition and required fees as defined and reported under section 173.1003; in the case of an approved private institution as defined in section 173.1102 or a public vocational technical school, the tuition and required fees shall be the same as the tuition and required

fees charged by the University of Missouri-Columbia. In addition, the amount of the loan, when combined with all other aid, shall not exceed the standard institutional cost of attendance. All tuition and required fee amounts shall be calculated based on enrollment in fifteen credit hours or the equivalent per semester. The loan shall be payable from the board in no fewer than two equal payments."; and

Further amend said bill and section, Page 6, Line 193, by inserting immediately after the word "fund" the following:

"less the department's cost to contract for the administration of the loan forgiveness program, not to exceed two percent of the total loan volume of the program"; and

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

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

On motion of Representative Thomson, **HCS HB 1308, as amended**, was adopted.

On motion of Representative Thomson, **HCS HB 1308, as amended**, was ordered perfected and printed.

HB 1574, relating to authority of the state auditor, was taken up by Representative Hoskins.

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

House Amendment No. 1

AMEND House Bill No. 1574, Page 2, Section 29.235, Line 44, by inserting after all of said section and line the following:

"29.305. 1. The state auditor shall make a one-time report on the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The auditor may make additional comparisons including other sentences imposed for homicide offenses.

2. In selecting the cases in which a death sentence was not imposed, the auditor shall use a scientific method of random sampling that includes all cases filed on or after January 1, 1990.

3. The comparison shall include the following costs estimated by the auditor to be related to the cases examined and compared under subsection 1 of this section:

(1) Staff salaries, benefits, and operating expenses for the attorney general's office, including any contracts for assistance;

(2) Staff salaries, benefits, and operating expenses for the department of corrections, including costs related to housing inmates sentenced to death, carrying out the death penalty, and any contracts for assistance;

(3) Staff salaries, including salaries of prosecuting and circuit attorneys, benefits, operating expenses charged to counties, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, additional investigations, and contracts for assistance;

(4) Staff salaries, benefits, and operating expenses for the Missouri state public defender system; and

(5) Staff salaries, benefits, and operating expenses for the supreme court, courts of appeals, and circuit courts.

4. **The auditor shall present the report to the governor, members of the general assembly, and the Missouri supreme court by June 30, 2016.**"; and

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

House Amendment No. 1 was withdrawn.

On motion of Representative Hoskins, **HB 1574** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1075 - Fiscal Review
HB 2183 - Judiciary
HB 2185 - Downsizing State Government
HB 2206 - Children, Families, and Persons with Disabilities
HB 2248 - Crime Prevention and Public Safety
HB 2252 - Tourism and Natural Resources
HB 2255 - Ways and Means
HB 2257 - Elementary and Secondary Education
HB 2273 - Ways and Means

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1993**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1478**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 628**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **SCS SB 612**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 601**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

The following members’ presence was noted: Grisamore and Remole.

ADJOURNMENT

On motion of Representative Hough, the House adjourned until 10:00 a.m., Wednesday, April 16, 2014.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Monday, April 14, 2014, Page 1105, Line 16, by deleting the word “**Not**”.

AFFIDAVIT

I, State Representative Ed Schieffer, District 41, hereby state and affirm that my vote on the motion by which HB 1144 was ordered perfected and printed on page 1036 of the Journal of the House for the forty-eighth day, Tuesday, April 8, 2014 was incorrectly recorded as “Absent With Leave.” Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as “No.”

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of April, 2014.

/s/ Ed Schieffer
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of April in the year 2014.

/s/ Leann M. Hager
Notary Public

COMMITTEE HEARINGS

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 17, 2014, 9:30 AM, South Gallery.

Executive session will be held: SS SCS SB 767, SB 773

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

DOWNSIZING STATE GOVERNMENT

Thursday, April 17, 2014, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SCS SB 623

Executive session will be held: HR 1016, HB 1257, SCS SJR 27, HB 2050

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 16, 2014, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 1732, HB 1549, HB 1418, HB 1919

Executive session will be held: HB 1108, HB 1894, HB 1780

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

AMENDED

FINANCIAL INSTITUTIONS

Wednesday, April 16, 2014, 12:00 PM, House Hearing Room 4.

Public hearing will be held: HB 1569

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

FISCAL REVIEW

Wednesday, April 16, 2014, 8:30 AM, House Hearing Room 2.

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

FISCAL REVIEW

Thursday, April 17, 2014, 8:30 AM, House Hearing Room 2.

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

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, April 16, 2014, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: HB 2249, SB 504, HB 2103

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

HEALTH CARE POLICY

Wednesday, April 16, 2014, Upon Morning Recess or Noon, whichever is later, House Hearing Room 6.

Public hearing will be held: HB 2145, HB 2219, SCR 32, HB 2189

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

Adding on HB 2189.

AMENDED

JUDICIARY

Wednesday, April 16, 2014, 12:00 PM or immediately Upon Morning Recess, House Hearing Room 1.

Public hearing will be held: SB 499, HB 1980, HB 1756

Executive session will be held: HB 1815, HB 1788, SB 614, SB 615, SB 621, HB 2128

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

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 16, 2014, 12:00 PM, House Hearing Room 5.

Public hearing will be held: HB 2285, SCS SB 808

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

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 16, 2014, 12:00 PM or Upon Morning Recess, House Hearing Room 7.

Public hearing will be held: SCS SB 635, SCS SB 777

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

TOURISM AND NATURAL RESOURCES

Thursday, April 17, 2014, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SS SCR 22, HB 2192, SCS SB 735, SCR 17

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

UTILITIES

Wednesday, April 16, 2014, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2064, HCR 40, HB 2140, HB 1507, HB 2204

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

HOUSE CALENDAR

FIFTY-THIRD DAY, WEDNESDAY, APRIL 16, 2014

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 62 - Bahr
- 2 HCS HJR 90 - Dugger

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1655 - Burlison
- 2 HB 1821 - Diehl
- 3 HB 1342 - Scharnhorst
- 4 HCS HB 1936 - Dugger
- 5 HCS HB 1350 - Richardson
- 6 HB 1906 - Schieber
- 7 HCS HB 1116 - Hicks
- 8 HCS HB 1662 - Richardson
- 9 HB 1174 - Curtman

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- 10 HB 1358 - Flanigan
- 11 HB 1474 - Brattin
- 12 HCS HB 1967 - Koenig
- 13 HCS HB 2130 - Dugger
- 14 HB 2193 - Rowland
- 15 HCS HB 2271 - Dugger
- 16 HCS#2 HB 1153 - Pace
- 17 HCS HB 1231 - Cox
- 18 HCS HB 1304 - Gosen
- 19 HB 1314 - Frederick
- 20 HCS HB 1484 - Korman
- 21 HB 1541 - Hubbard
- 22 HCS HB 1583 - Berry
- 23 HCS HB 1612 - McGaugh
- 24 HB 1647 - Moon
- 25 HB 1684 - Fitzwater
- 26 HCS HB 1728 - Love
- 27 HB 1792 - Fitzwater
- 28 HCS HB 1937 - McGaugh
- 29 HCS HB 1952 - Reiboldt
- 30 HB 2063 - Wieland
- 31 HB 2077 - Stream
- 32 HB 2079 - Funderburk
- 33 HCS HB 2085 - Austin
- 34 HCS HB 2116 - Torpey
- 35 HCS HB 2118 - Cox
- 36 HB 2126 - McGaugh
- 37 HCS HB 2238 - Jones (50)

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1219 - Dugger

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1713 - Lauer

HOUSE BILLS FOR THIRD READING

- 1 HB 1770 - Burlison
- 2 HB 1454 - Swan
- 3 HB 1251 - Elmer
- 4 HB 1591 - Brown
- 5 HCS HB 1614 - Burlison
- 6 HCS HB 1999 - Dugger

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1568 - Frederick

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 8 - Richardson
- 2 HCR 16 - Guernsey
- 3 HCS HCR 25 - Lichtenegger
- 4 HCR 30 - Franklin
- 5 HCS HCR 38 - Phillips

SENATE BILLS FOR THIRD READING

- 1 SB 652 - Funderburk
- 2 SCS SB 613 - Funderburk
- 3 SS#3 SCS SBs 509 & 496 - Koenig

HOUSE RESOLUTIONS

HR 1485 - Diehl