

# JOURNAL OF THE HOUSE

Second Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, WEDNESDAY, APRIL 23, 2014

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*They that seek the Lord shall not want any good thing. (Psalm 34:10)*

O God in whose presence our heads bow and our hearts are open, we thank You for our state - for her glorious past, her glowing present, and her growing future. Help us to see that the greatness of Missouri does not depend on wealth or fame or success but upon character rooted in honesty, faith, and harmony between us.

In this quiet moment we remember again President Lincoln. May his words ring out anew in our day - "with malice toward none, with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up our wounds; to care for those who shall have borne the battle and for their families - to do all which may achieve and cherish a just and lasting peace among ourselves and with all."

Finally, let our prayers rise to You as on eagle's wings.

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: Jade Thomas.

The Journal of the fifty-fifth day was approved as printed.

## SPECIAL RECOGNITION

Clark, a bald eagle from the World Bird Sanctuary, was introduced by Speaker Jones and flew over the Hall of the House of Representatives.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2271 through House Resolution No. 2434

## PERFECTION OF HOUSE BILLS

**HCS HB 1655**, relating to the operation of motorcycles and motortricycles, was taken up by Representative Burlison.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1655, Page 1, in the title, Lines 2-3, by deleting the words "the operation of motorcycles or motortricycles" and inserting in lieu thereof the words "motor vehicles"; and

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

**"301.3083. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Breast Cancer Foundation of the Ozarks, may receive special license plates for any vehicle the person 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. The Breast Cancer Foundation of the Ozarks hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Breast Cancer Foundation of the Ozarks derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Breast Cancer Foundation of the Ozarks. Any member of the Breast Cancer Foundation of the Ozarks may annually apply for the use of the emblem.**

**2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Breast Cancer Foundation of the Ozarks, the Breast Cancer Foundation of the Ozarks shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a twenty-five dollar fee 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 a special license plate which shall bear the emblem of the Breast Cancer Foundation of the Ozarks. 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. In addition, upon such set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "BCFO.ORG". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

**3. A vehicle owner who was previously issued a plate with the Breast Cancer Foundation of the Ozarks emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Breast Cancer Foundation of the Ozarks emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.**

**4. Prior to the issuance of a Breast Cancer Foundation of the Ozarks specialty plate authorized under this section the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the twenty-five dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.";** and

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

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

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Bames
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Comejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guemsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Koman
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	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
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: 006

Ellinger	Gardner	Hodges	Kolkmeier	Schamhorst
Torpey				

VACANCIES: 003

On motion of Representative Burlison, **HCS HB 1655, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 1655, as amended**, was ordered perfected and printed.

**HCS HB 1936**, relating to primary elections, was taken up by Representative Dugger.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1936, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"115.063. 1. When any question or candidate is submitted to a vote by any political subdivision or special district and no other question or candidate is submitted at the same election, all costs of the election shall be paid from the general revenue of the political subdivision or special district submitting a question or candidate at the election.

2. All costs of special elections involving a statewide candidate or statewide issue and all costs of special elections involving candidates for state senator or state representative shall be paid by the state, except that if a political subdivision or special district holds an election on the same day, the costs shall be shared proportionately by the state and the political subdivisions and special districts affected in the manner provided in section 115.065.

3. The state shall not be liable for any costs of a general election [or primary election] held in even-numbered years as designated in subsections 1 and 2 of section 115.121.

4. When a proposed political subdivision submits a petition requesting an election as part of the formation thereof, the petitioners shall submit together with the petition sufficient security to pay all costs of the election. If such proposition is successful, the political subdivision thereby created shall reimburse those persons advancing funds to pay the costs of the election."; and

Further amend said bill, Section 115.349, Page 4, Line 26, by inserting after all of said section and line the following:

"115.615. In years when a primary election is held pursuant to subsection 2 of section 115.121, each county committee shall meet at the county seat on the [third Tuesday of August] **first Tuesday immediately following the primary election**. In each city not situated in a county, the city committee shall meet on the same day at such place within the city as the chair of the current city committee may designate. In all counties of the first, second and third classification the county courthouse shall be made available for such meetings and any other county political party meeting at no charge to the party committees. At the meeting, each committee shall organize by electing one of its members as chair and one of its members as vice chair, a man and a woman, and a secretary and a treasurer, a man and a woman, who may or may not be members of the committee. The county chair and vice chair so elected shall by virtue thereof become members of the party congressional, senatorial and judicial committees of the district of which their county is a part."; and

Further amend said bill, Section 115.621, Page 4, Line 2, by enclosing in brackets the word "last" on said line and inserting immediately thereafter the following: "**third**"; and

Further amend said section, Page 5, Line 13, by enclosing in brackets the word "third" on said line and inserting immediately thereafter the following: "**second**"; and

Further amend said section, Page 5, Line 22, by enclosing in brackets the word "third" on said line and inserting immediately thereafter the following: "**second**"; and

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

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

Speaker Pro Tem Hoskins assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

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

NOES: 045

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

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Ellinger	Gardner	Grisamore	Hicks
Hodges	Hough	Jones 50	Kolkmeyer	McCaherty
McManus	Molendorp	Schieffer	Stream	Swearingen

VACANCIES: 003

On motion of Representative Dugger, **HCS HB 1936, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1936, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - FEDERAL MANDATE**

**HB 1713**, relating to the Shared Work Unemployment Compensation Program, was taken up by Representative Lauer.

On motion of Representative Lauer, **HB 1713** was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS**

**HCS HB 1231**, relating to judicial procedures, was taken up by Representative Cox.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1231, Pages 8-14, Section 210.145, Lines 1-205, and Pages 14-17, Section 210.150, Lines 1-136, by deleting all of said sections and lines from the bill; and

Further amend said bill, Page 30, Section 452.375, Lines 141-147, by deleting all of said lines and inserting in lieu thereof the following:

**"14. If the court finds that a parent of a child, while the child was unborn, attempted";** and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1231, Pages 20-24, Section 211.447, Lines 1-177, by deleting all of said section and lines and inserting in lieu thereof the following:

"211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

- (c) The parent has voluntarily relinquished a child under section 210.950; or
- (3) A court of competent jurisdiction has determined that the parent has:
  - (a) Committed murder of another child of the parent; or
  - (b) Committed voluntary manslaughter of another child of the parent; or
  - (c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter;

or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

- (1) The child is being cared for by a relative; or
- (2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or
- (3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development.

Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape or rape in the first degree. When the biological father has pled guilty to, or is convicted of, the forcible rape or rape in the first degree of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) [The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of this subsection or similar laws of other states.] **(a) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse including, but not limited to, specific conditions directly relating to the parent and child relationship which are determined by the court to be of a duration or nature that renders the parent unable for the reasonably foreseeable future to care appropriately for the ongoing physical, mental, or emotional needs of the child.**

**(b) It is presumed that a parent is unfit to be a party to the parent and child relationship upon a showing that:**

**a. Within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3), or (4) of this subsection or similar laws of other states;**

**b. If the parent is the birth mother and while the child was in utero or within eight hours after the child's birth, the child's birth mother tested positive for alcohol, cocaine, heroin, methamphetamine, a controlled substance as defined in section 195.010, or a prescription drug as defined in section 196.973, excepting those controlled substances or prescription drugs present in the mother's body as a result of medical treatment administered to the mother, and the birth mother is the biological mother of at least one other child who was adjudicated an abused or neglected minor by the mother or the mother has previously failed to complete recommended treatment services by the children's division through a family-centered services case;**

**c. If the parent is the birth mother and at the time of the child's birth or within eight hours after a child's birth the child tested positive for alcohol, cocaine, heroin, methamphetamine, a controlled substance as defined in section 195.010, or a prescription drug as defined in section 196.973, excepting those controlled substances or prescription drugs present in the mother's body as a result of medical treatment administered to the mother, and the birth mother is the biological mother of at least one other child who was adjudicated an abused or neglected minor by the mother or the mother has previously failed to complete recommended treatment services by the children's division through a family-centered services case; or**

**d. Within a three-year period immediately prior to the termination adjudication, the parent has pled guilty to or has been convicted of a felony involving the possession, distribution, or manufacture of cocaine, heroin, or methamphetamine, and the parent is the biological parent of at least one other child who was adjudicated an abused or neglected minor by such parent or such parent has previously failed to complete recommended treatment services by the children's division through a family-centered services case.**

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.



7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

- (1) The emotional ties to the birth parent;
- (2) The extent to which the parent has maintained regular visitation or other contact with the child;
- (3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;
- (4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;
- (5) The parent's disinterest in or lack of commitment to the child;
- (6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;
- (7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1231, Page 1, Section A, Line 10, by inserting immediately after said line the following:

**"43.675. 1. As used in this section the following terms shall mean:**

**(1) "Criminal justice agency", courts or a governmental agency or any subunit thereof that performs the administration of criminal justice pursuant to a statute or executive order and that allocates a substantial part of its annual budget to the administration of criminal justice including state and federal inspector general offices;**

**(2) "Regional Justice Information Service (REJIS)", a governmental agency created by the enactment of dual ordinances of a city not within a county and a county with a charter form of government and with more than nine hundred fifty thousand inhabitants pursuant to the provisions of section 70.210 for the administration of criminal justice, which provides support to any political subdivision requiring technological assistance with collecting, storing, and disseminating criminal history record information.**

**2. The Regional Justice Information Service (REJIS) is hereby designated a "Criminal Justice Agency" for purposes of 28 CFR 20 and shall have all the powers necessary to carry out its purposes including, but not limited to, the power to:**

**(1) Facilitate criminal identification activities and collect, store, and disseminate criminal history record information throughout the state of Missouri;**

**(2) Provide criminal history and related criminal justice support to political subdivisions and other authorized entities; and**

**(3) Perform related functions not inconsistent with the law.";** and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1231, Page 49, Section 574.160, Line 14, by inserting after all of said line the following:

"575.153. 1. A person commits the crime of disarming a peace officer, as defined in section [590.100] **590.010**, or a correctional officer if such person intentionally:

(1) Removes a firearm [or other], deadly weapon, **or less-lethal weapon, to include blunt impact, chemical or conducted energy devices, used in the performance of his or her official duties** from the person of a peace officer or correctional officer while such officer is acting within the scope of his or her official duties; or

(2) Deprives a peace officer or correctional officer of such officer's use of a firearm [or], deadly weapon, **or any other equipment described in subdivision (1) of this subsection** while the officer is acting within the scope of his or her official duties.

2. The provisions of this section shall not apply when:

(1) The defendant does not know or could not reasonably have known that the person he or she disarmed was a peace officer or correctional officer; or

(2) The peace officer or correctional officer was engaged in an incident involving felonious conduct by the peace officer or correctional officer at the time the defendant disarmed such officer.

3. Disarming a peace officer or correctional officer is a class C felony.";

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

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

Representative English offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1231, Page 44, Section 488.2240, Line 10, by inserting after all of said line the following:

"**488.2245. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants may provide for additional court costs in an amount up to ten dollars per case for each municipal ordinance violation case filed before a municipal division judge or associate circuit judge.**

**2. Such cost shall be collected by the clerk and disbursed to the city at least monthly. The city shall use such additional costs only for the land assemblage and purchase, construction, maintenance, and upkeep of a municipal courthouse. The costs collected may be pledged to directly or indirectly secure bonds for the cost of land assemblage and purchase, construction, maintenance, and upkeep of the courthouse.";** and

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

On motion of Representative English, **House Amendment No. 5** was adopted.

On motion of Representative Cox, **HCS HB 1231, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 1231, as amended**, was ordered perfected and printed.

On motion of Representative Cierpiot, the House recessed until 1:30 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 2085**, relating to judgeships, was taken up by Representative Austin.

On motion of Representative Austin, **HCS HB 2085** was adopted.

On motion of Representative Austin, **HCS HB 2085** was ordered perfected and printed.

**HB 1684**, relating to a wood energy tax credit, was taken up by Representative Fitzwater.

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

#### *House Amendment No. 1*

AMEND House Bill No. 1684, Page 1, in the title, Lines 2-3, by deleting the words "wood energy tax credit" and inserting in lieu thereof the words "tax credits"; and

Further amend said bill and page, Section 135.305, Line 11, by inserting after all of said section and line the following:

"135.710. 1. As used in this section, the following terms mean:

(1) **"Alternative fuel vehicle refueling property"**, property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens;

(2) **"Alternative fuels"**, any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

(a) Ethanol;

(b) Natural gas;

(c) Compressed natural gas, or CNG;

(d) Liquefied natural gas, or LNG;

(e) Liquefied petroleum gas, or LP gas, propane, or autogas;

(f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

[(2)] (3) **"Department"**, the department of [natural resources] economic development;

(4) **"Electric vehicle recharging property"**, property in this state owned by an eligible applicant and used for recharging electric motor vehicles owned by such eligible applicant or private citizens;

[(3)] (5) **"Eligible applicant"**, a business entity or private citizen that is the owner of [a qualified] an electric vehicle recharging property or an alternative fuel vehicle refueling property;

(6) **"Qualified Missouri contractor"**, a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years;

[(4)] (7) "Qualified [alternative fuel vehicle refueling] property", [property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens] **an electric vehicle recharging property or an alternative fuel vehicle refueling property** which, if constructed after August 28, [2008] **2014**, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

- (a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;
- (b) Construction of such facility; and
- (c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply[;]

(5) "Qualified Missouri contractor", a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years[.].

2. For all tax years beginning on or after January 1, [2009] **2015**, but before January 1, [2012] **2018**, any eligible applicant who installs and operates a qualified [alternative fuel vehicle refueling] property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the [refueling] **qualified** property. The credit allowed in this section per **eligible applicant who is a private citizen shall not exceed fifteen hundred dollars or per** eligible applicant **that is a business entity** shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment **or any recharging equipment** on any qualified [alternative fuel vehicle refueling] property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified [alternative fuel vehicle refueling] property;

(2) Costs associated with the purchase of an existing qualified [alternative fuel vehicle refueling] property; or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing **or recharging** facilities were placed in service at a qualified [alternative fuel vehicle refueling] property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

(1) In taxable year 2009, three million dollars;

(2) In taxable year 2010, two million dollars; and

(3) In taxable year 2011,] one million dollars **in any calendar year**.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. [An alternative fuel vehicle refueling] **Any qualified** property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel **or recharge electric vehicles** shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the [alternative fuel vehicle refueling] **qualified** property ceased to sell alternative fuel **or recharge electric vehicles** and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel **or recharging of electric vehicles** ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any

information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly 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, 2008, shall be invalid and void.

9. [Pursuant to] **The provisions of section 23.253 of the Missouri sunset act notwithstanding:**

(1) The provisions of the new program authorized under this section shall automatically sunset [six] **three** years after [August 28, 2008] **December 31, 2014**, unless reauthorized by an act of the general assembly; and

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

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

(4) **The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.**

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cowpeas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation **or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas equipment**, water, and sewage;

(5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 1684, Page 1, in the title, Lines 2-3, by deleting the phrase "a wood energy tax credit" and inserting in lieu thereof the words "tax credits"; and

Further amend said bill and said page, Section 135.305, Line 11, by inserting immediately after said line the following:

**"135.1624. 1. As used in this section, the term "small business" means any business in this state with an annual Missouri adjusted gross income of no more than five hundred thousand dollars.**

**2. For all tax years beginning on or after January 1, 2015, any small business shall be allowed to claim any tax credit, tax deduction, and any other exemption from tax that any corporation as defined in chapter 143 in this state is allowed to claim under state law. Such small businesses shall be eligible for such credits, deductions, and exemptions in direct proportion to the average annual Missouri adjusted gross income of corporations reported in each tax year divided by three.**

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

**4. Under section 23.253 of the Missouri sunset act:**

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

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

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

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

Representative Austin raised a point of order that **House Amendment No. 2** amends previously amended material.

The point of order was withdrawn.

Speaker Pro Tem Hoskins resumed the Chair.

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

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

AMEND House Bill No. 1684, Page 1, Section 135.305, Line 11, by inserting after all of said section the following:

"135.700. **1.** For all tax years beginning on or after January 1, 1999, **but ending on or before December 31, 2014**, a grape grower or wine producer shall be allowed a tax credit against the state tax liability incurred pursuant to chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new equipment and materials used directly in the growing of grapes or the production of wine in the state. Each grower or producer shall apply to the department of economic development and specify the total amount of such new equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower or wine producer is entitled pursuant to this section. The provisions of this section notwithstanding, a grower or producer may only apply for and receive the credit authorized by this section for five tax periods.

**2. For all tax years beginning on or after January 1, 2015, a grape grower, wine producer, distillery, or microbrewery as defined in section 311.195, shall be allowed a tax credit against the state tax liability incurred under chapter 143, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, in an amount equal to twenty-five percent of the purchase price of all new and used equipment and materials used directly in the growing of grapes, production of wine, distilling of spirits, or brewing of beer in the state, subject to the limitations provided in this section. Each grower, producer, distiller, or brewer shall apply to the department of economic development and specify the total amount of such new and used equipment and materials purchased during the calendar year. The department of economic development shall certify to the department of revenue the amount of such tax credit to which a grape grower, wine producer, distillery, or microbrewery is entitled under this section. The provisions of this section notwithstanding, a grower, producer, distiller, or brewer may apply for and receive the credit authorized by this section for no more than five consecutive tax periods with a total maximum of ten tax periods.**

**3. For the tax years beginning on or after January 1, 2015, the total amount of tax credits authorized under this section shall not exceed four million dollars. The amount of tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of one hundred thousand dollars per taxable year.**

**4. Of the four million dollars of tax credits authorized under this section, no more than one million dollars shall go to each of the groups of taxpayers classifying as growers, producers, distillers, and brewers except as provided in this subsection. After the conclusion of the third quarter of a taxable year, the remaining balance of tax credits authorized shall be issued to any qualified applicant, regardless of whether a grower, producer, distiller, or brewer, on a first-come, first-served filing basis.";** and

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

On motion of Representative Korman, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Bames
Bernskoetter	Bery	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Comejo	Cox
Crawford	Cross	Davis	Diehl	Dohman
Dugger	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Higdon	Hoskins	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Moon	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr				

NOES: 046

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Harris	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	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				

PRESENT: 000

ABSENT WITH LEAVE: 023

Black	Curtman	Ellinger	Elmer	Franklin
Gardner	Grisamore	Guemsey	Hicks	Hinson
Hodges	Hough	Jones 50	Marshall	McDonald
Molendorp	Morris	Schamhorst	Schatz	Stream
Wood	Wright	Mr. Speaker		

VACANCIES: 003

On motion of Representative Fitzwater, **HB 1684, as amended**, was ordered perfected and printed.



**HB 1358**, relating to infrastructure system replacement surcharges, was taken up by Representative Flanigan.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Bames
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Comejo	Cox	Crawford
Cross	Davis	Dohrman	Dugger	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	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	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Wieland	Wilson	Wood	Zerr

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
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: 016

Cierpiot	Curtman	Diehl	Ellinger	Elmer
Gardner	Grisamore	Guemsey	Hinson	Hodges
Hough	Jones 50	Riddle	Schamhorst	White
Mr. Speaker				

VACANCIES: 003

On motion of Representative Flanigan, **HB 1358** was ordered perfected and printed.

**HB 2079**, relating to terminations of water services, was taken up by Representative Funderburk.

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

*House Amendment No. 1*

AMEND House Bill No. 2079, Page 1, Section A, Line 2, by inserting immediately after said line the following:

**"67.313. 1. If approved by a majority of the voters voting on the proposal, any city, town, village, sewer district, or water supply district located within this state may, by order or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, village, sewer district, or water supply district, a fee not to exceed three dollars per month or thirty-six dollars annually.**

**2. The ballot of submission shall be in substantially the following form:**

**For the purpose of repair or replacement of lateral sewer service lines extending from the residential dwelling to its connection with the public sewer system line, due to failure of the line, shall ..... (city, town, village, sewer district, or water supply district) be authorized to impose a fee not to exceed three dollars per month or thirty-six dollars annually on residential property for each lateral sewer service line providing sewer service within the (city, town, village, sewer district, or water supply district) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary lateral sewer service line repairs or replacements?**

**3. For the purpose of this section, a lateral sewer service line may be defined by local order or ordinance, but shall not include more than the portion of the sewer line which extends from the sewer mains owned by the utility or municipality to the point of entry into the premises receiving sewer service, and may not include facilities owned by the utility or municipality. For purposes of this section, repair may be defined and limited by local ordinance, and may include replacement or repairs.**

**4. If a majority of the voters voting thereon approve the proposal authorized in subsection 1 of this section, the governing body of the city, town, village, sewer district, or water supply district may enact an order or ordinance for the collection of such fee. The funds collected under such ordinance shall be deposited in a special account to be used solely for the purpose of paying for the reasonable costs associated with and necessary to administer and carry out the lateral sewer service line repairs as defined in the order or ordinance and to reimburse the necessary costs of lateral sewer service line repair or replacement. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.**

**5. The city, town, village, sewer district, or water supply district may establish, as provided in the order or ordinance, regulations necessary for the administration of collections, claims, repairs, replacements, and all other activities necessary and convenient for the implementation of any order or ordinance adopted and approved under this section. The city, town, village, sewer district, or water supply district may administer the program or may contract with one or more persons, through a competitive process, to provide for administration of any portion of implementation activities of any order or ordinance adopted and approved under this section, and reasonable costs of administering the program may be paid from the special account established under this section not to exceed five percent of the fund on an annual basis.**

**6. Notwithstanding any other provision of law to the contrary, the collector in any city, town, village, sewer district, or water supply district that adopts an order or ordinance under this section, who now or hereafter collects any fee to provide for, ensure, or guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy bills of property owners within the city, town, village, sewer district, or water supply district. All revenues received on such combined bill which are for the purpose of providing for, ensuring, or guaranteeing the repair of lateral sewer service lines shall be separated from all other revenues so collected and credited to the appropriate fund or account of the city, town, village, sewer district, or water supply district. The collector of the city, town, village, sewer district, or water supply district may collect such fee in the same manner and to the same extent as the collector now or hereafter may collect delinquent real estate taxes and tax bills.";** and

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

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

The Chair ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Anderson	Austin	Bahr	Bemskoetter
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohman	Dugger	Engler
Entlicher	Fitzpatrick	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schamhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	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: 021

Barnes	Brown	Curtman	Ellinger	Elmer
Fitzwater	Flanigan	Gardner	Grisamore	Guemsey
Haahr	Hinson	Hodges	Hough	Hubbard
Jones 50	McCann Beatty	Molendorp	Neely	Neth
Redmon				

VACANCIES: 003

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

Representative Diehl assumed the Chair.

On motion of Representative Funderburk, **HB 2079, as amended**, was ordered perfected and printed.

**HCS HB 1728**, relating to public health orders, was taken up by Representative Love.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1728, Page 1, in the title, Lines 2 and 3, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 170.015 and 192.300, RSMo, and to enact in lieu thereof eight new sections relating to health, with a penalty provision."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 170.015 and 192.300, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 170.015, 191.713, 191.714, 191.715, 192.300, 192.980, 338.016, and 338.018, to read as follows:

170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate, **be based on peer-reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate**, and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity [for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy] **as the only sure way to avoid pregnancy or sexually transmitted infection;**

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) Present students with the latest medically factual information [regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS, and other diseases;**

(4) [Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan] **Provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active;**

(5) **Encourage family communication between parents and children about sexuality;**

(6) **Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making;**

[(5)] (7) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal

behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

[(6)] (8) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

(9) **Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;**

(10) **Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the FBI, or the CyberTipLine;**

(11) **Teach pupils about the consequences, both personal and legal, of inappropriate text messaging even among friends.**

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials **and names and affiliations of presenters** used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.]

**191.713. 1. Sections 191.713 and 191.715 may be cited as the "Compassionate Assistance for Rape Emergencies (CARE) Act".**

**2. As used in sections 191.713 to 191.715, unless the context clearly indicates otherwise, the following terms shall mean:**

**(1) "Emergency care to sexual assault victims", medical examinations, procedures, or services provided at a hospital to a sexual assault victim following an alleged rape;**

**(2) "Emergency contraception", any drug or device approved by the Food and Drug Administration that prevents pregnancy after sexual intercourse;**

**(3) "Health care facility", any urgent care center or facility that offers treatment for patients during normal business, after-business, or weekend hours and that is affiliated with a licensed hospital;**

**(4) "Medically and factually accurate and objective", verified or supported by the weight of research conducted in compliance with accepted scientific methods and is published in peer-reviewed journals where**

applicable; or comprising information that leading professional organizations and agencies with relevant expertise in the field, such as the American College of Obstetricians and Gynecologists, recognize as accurate and objective;

(5) "Sexual assault", as defined in section 566.040;

(6) "Sexual assault victim", a female who is alleged to have been raped and is presented as a patient.

191.714. 1. It shall be the standard of care for any hospital and any health care facility that provides emergency care to sexual assault victims to:

(1) Provide each sexual assault victim with medically and factually accurate and objective written and oral information about emergency contraception;

(2) Orally inform each sexual assault victim of her option to be provided emergency contraception at the hospital;

(3) Provide the complete regimen of emergency contraception immediately at the hospital or health care facility to each sexual assault victim who requests it; and

(4) Follow the Department of Justice protocols on HIV/STI screening and prophylactic treatment as referenced in 19 CSR 40-10.010 and the sexual assault forensic exam checklist promulgated by the department of health and senior services.

2. Hospitals and health care facilities shall ensure that each person who provides care to sexual assault victims is provided with medically and factually accurate and objective information about emergency contraception.

3. The department of health and senior services shall develop, prepare, and produce informational materials relating to emergency contraception for the prevention of pregnancy for distribution in any hospital or health care facility in the state in quantities sufficient to comply with the requirements of this section. The director, in collaboration with community sexual assault programs, may also approve informational materials from other sources.

4. The information materials shall:

(1) Be medically and factually accurate and objective;

(2) Be clearly written and readily comprehensible in a culturally competent manner, as the department deems necessary to inform victims of sexual assault; and

(3) Explain the nature of emergency contraception, including its use, safety, efficacy, and availability, and that it does not cause abortion.

5. The department of health and senior services shall respond to complaints and shall periodically determine whether hospitals and health care facilities are complying with the provisions of this section. The department may use all investigative tools available to verify compliance. If the department determines that a hospital or health care facility is not in compliance, the department shall:

(1) Impose an administrative penalty of five thousand dollars per woman who is denied medically and factually accurate and objective information about emergency contraception or who is not offered or provided emergency contraception; and

(2) Impose an administrative penalty of five thousand dollars for failure to comply with the provisions of this section and for every thirty days that a hospital or health care facility is not in compliance, an additional penalty of five thousand dollars shall be imposed.

6. The department shall promulgate rules to implement the provisions of sections 191.713 to 191.715.

7. 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.

191.715. 1. This section shall be known and may be cited as the "Birth Control Protection Act".

2. The general assembly of this state finds that:

(1) Citizens of this state have a protectable interest in freedom from unreasonable government intrusions into their private lives;

(2) This interest in freedom from unreasonable government intrusions into the private lives of citizens encompasses and protects the right of consenting individuals to obtain and use safe and effective methods of contraception without interference by governmental entities;

(3) It is the public policy of this state that the interest in freedom from unreasonable government intrusions into the private lives of citizens, and specifically the right of consenting individuals to obtain and use safe and effective methods of contraception without interference by governmental entities, shall be safeguarded and that the laws of this state shall be interpreted and construed to recognize and protect these rights.

3. Notwithstanding any other provisions of law, no governmental actor or entity, whether state, county, municipal, or otherwise, within the state of Missouri, shall:

(1) Be authorized to act in any fashion so as to deprive consenting individuals of the right to obtain and use safe and effective methods of contraception; or

(2) Interfere with or discriminate against, in the regulation or provision of benefits, facilities, services, or information, the right of consenting individuals to obtain and use safe and effective methods of contraception.

4. Nothing in this section shall be interpreted to prevent implementation of laws, rules, ordinances, taxes, or regulations affecting the method and manner of sale or distribution of contraceptives, provided such laws, rules, ordinances, taxes, or regulations are reasonably designed to promote public health and safety, and do not have the effect of unreasonably hindering public access to contraceptives."; and

Further amend said bill, Page 2, Section 192.300, Line 32, by inserting after all of said line the following:

"192.980. 1. Subject to appropriation, the department of health and senior services shall implement a women's health services program by July 1, 2015. Initial funding for the program shall be in the amount of five million dollars. Such program shall have the goal of reducing the number of unintended pregnancies in Missouri by providing women's health services through qualified health providers, as determined by the department.

2. For purposes of this section, women's health services shall include, but not be limited to:

(1) Breast and cervical cancer checks;

(2) Screening and treatment for sexually transmitted diseases;

(3) HIV screening;

(4) Voluntary choice of contraception, including natural family planning;

(5) Infertility treatment;

(6) Patient education and pre-pregnancy counseling on the dangers of smoking, alcohol, and drug use during pregnancy;

(7) Education on sexual coercion and violence in relationships; and

(8) Prenatal and other health care referrals.

3. Under section 23.253 of the Missouri sunset act:

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

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

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

338.016. 1. Upon receipt of a valid and lawful prescription, a licensed pharmacy shall dispense any prescribed drug or device in stock without delay, consistent with the normal time frame for filling any other prescription.

2. Nothing herein shall prohibit a licensed pharmacy from refusing to dispense a prescribed drug or device in accordance with standard pharmacy practice if:

(1) There is a valid medical concern that such drug or device will cause problems due to therapeutic duplications, drug-disease contraindications, drug interactions, including serious interactions with prescription or over-the-counter medications, incorrect dosage or duration of drug treatment, drug-allergy interactions, drug abuse, or drug misuse; or

(2) The customer is unable to pay for the drug or device.

3. When a customer requests a prescribed drug or device not in stock, the pharmacy shall offer the customer the following options:

(1) The pharmacy shall obtain the drug or device under standard procedures for expedited ordering of any prescription drug or device not in stock and promptly notify the customer when the pharmacy receives the drug or device; or

(2) The pharmacy shall locate a pharmacy of the customer's choice or the closest pharmacy that has the drug or device in stock and transfer the customer's prescription to that pharmacy under standard procedures for transferring prescriptions.

The pharmacy shall perform the customer's chosen option in a timely fashion and return the prescription order to the customer upon request at any time prior to dispensing.

4. Every licensed pharmacy shall ensure that it does not intimidate, threaten, or harass its customers in the delivery of services.

338.018. 1. A licensed pharmacy shall fulfill all lawful requests for contraception approved for over-the-counter use in a timely fashion.

2. Where a customer lawfully requests contraception approved for over-the-counter use, and that drug is not in stock, the pharmacy shall offer the customer the following options:

(1) The pharmacy will obtain the contraception under the pharmacy's standard procedures for expedited ordering of over-the-counter drugs not in stock and promptly notify the customer when the pharmacy receives the contraception; or

(2) The pharmacy will locate a pharmacy of the customer's choice or the closest pharmacy that has the contraception in stock and refer the customer to that pharmacy.

The pharmacy shall perform the customer's chosen option in a timely fashion.

3. Every licensed pharmacy shall ensure that it does not intimidate, threaten, or harass its customers in the delivery of services."; and

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

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

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**HCS HB 1728** was laid over.

**HB 2063**, relating to port authorities, was taken up by Representative Wieland.

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

*House Amendment No. 1*

AMEND House Bill No. 2063, Page 1, Section 68.075, Lines 3-6, by deleting all of said lines and inserting in lieu thereof the following:

"2. As used in this section, the following terms shall mean:

(1) "AIM zone", an area identified through a resolution pass by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility,



is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage."; and

Further amend said bill, said page, and said section, Lines 11-13, by deleting all of said lines and inserting in lieu thereof the following:

**"4. Fifty percent of the state tax withholdings imposed by Sections 143.191 to 143.265 within such zone after development or redevelopment has commenced shall not be remitted to the general fund of the state of Missouri. Such moneys shall be deposited into the port authority AIMzone";** and

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

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

On motion of Representative Wieland, **HB 2063, as amended**, was ordered perfected and printed.

### **HOUSE CONCURRENT RESOLUTIONS**

**HCS HCR 38**, relating to the authority of the Environmental Protection Agency to regulate water quality, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS HCR 38** was adopted.

**HCS HCR 45**, relating to the Joint Interim Committee on State Employee Wages, was taken up by Representative Bernskoetter.

Speaker Pro Tem Hoskins resumed the Chair.

On motion of Representative Bernskoetter, **HCS HCR 45** was adopted.

**HCR 30**, relating to fossil fuel emissions, was taken up by Representative Franklin.

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

#### *House Amendment No. 1*

AMEND House Concurrent Resolution No. 30, Page 3, Lines 88-92, by removing all of said lines from the resolution; and

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

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

On motion of Representative Franklin, **HCR 30, as amended**, was adopted.

## PERFECTION OF HOUSE BILLS

**HB 1647**, relating to prohibitions on certain policies that infringe on private property rights, was taken up by Representative Moon.

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

### *House Amendment No. 1*

AMEND House Bill No. 1647, Page 1, in the title, Lines 2-3, by deleting the words, "prohibitions on certain policies that infringe on private property rights" and inserting in lieu thereof the words, "privacy rights"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

**"1.220. 1. Notwithstanding any other provision of law and except as provided in subsections 2 to 6 of this section, no state agency or department or any other political subdivision shall engage in, contract for, or cooperate with any other agency in the biometric analysis of any photographic or digital data or retain any biometric data of any individual.**

**2. No college or university shall be in violation of the provisions of this section if the college or university engages in biometric analysis for academic purposes and the subject of the photograph or digital data has given consent to the analysis.**

**3. Any biometric data of an individual that is a subject of an open investigation or pending criminal court case and that has been collected pursuant to the investigation or pending case shall be retained by the collecting agency, department, or subdivision. Any biometric data that has been collected of an individual convicted of a crime may be retained by the collecting agency, department, or subdivision indefinitely.**

**4. Nothing in this section shall prevent any law enforcement agency, the state highway patrol, or the department of social services from collecting fingerprint samples and conducting a fingerprint background check.**

**5. Nothing in this section shall prevent the collection and use by the state of biometric data of individuals in the custody, control, or care of the state.**

**6. Nothing in this section shall prevent biometric data from being collected and used to identify or monitor an individual who is a person of interest in an ongoing law enforcement investigation or to determine initial eligibility and continuing participation in the receipt of public assistance from any local, state or federal agency. For purposes of this section, a law enforcement investigation shall include both civil and criminal investigations.**

**7. Any individual, agency, department, or subdivision that:**

**(1) Violates the provisions of subsection 1 of this section shall be guilty of a class A misdemeanor;**

**(2) Shares or accesses any biometric data that has been illegally retained shall be guilty of a class D felony; or**

**(3) Shares or accesses, through batch processing, multiple individual's biometric data that has been illegally retained shall be guilty of a class C felony.**

**8. For the purposes of this section, "biometric analysis" shall include, but is not limited to, the analysis of biometric data as that term is defined in subsection 2 of section 302.189."; and**

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

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

The Chair ruled the point of order not well taken.

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

Which motion was defeated by the following vote, the ayes and noes having been demanded pursuant to Rule 93.

AYES: 049

Allen	Anderson	Berry	Burlison	Cookson
Comejo	Cox	Crawford	Curtman	Diehl
Dohman	Dugger	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Franklin	Frederick	Funderburk
Grisamore	Guemsey	Haahr	Hampton	Hoskins
Houghton	Johnson	Jones 50	Keeney	Koenig
Korman	Lant	Love	Lynch	Marshall
McGaugh	Miller	Parkinson	Rhoads	Richardson
Riddle	Ross	Schatz	Shull	Smith
Spencer	Thomson	Wilson	Mr. Speaker	

NOES: 091

Anders	Austin	Barnes	Bemskoetter	Black
Burns	Butler	Carpenter	Colona	Conway 104
Cross	Curtis	Dunn	Elmer	English
Englund	Fraker	Frame	Gannon	Gatschenberger
Haefner	Hansen	Harris	Higdon	Hubbard
Hummel	Hurst	Justus	Kelly 45	Kirkton
Kolkmeyer	Kratky	LaFaver	Lair	Lauer
Leara	Lichtenegger	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Messenger	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Reiboldt	Rizzo	Roorda
Rowden	Rowland	Runions	Schieber	Schieffer
Schupp	Shumake	Solon	Sommer	Stream
Swan	Swearingen	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wood	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Brattin	Brown	Cierpiot	Conway 10
Davis	Ellinger	Ellington	Gardner	Gosen
Hicks	Hinson	Hodges	Hough	Kelley 127
Molendorp	Muntzel	Rehder	Remole	Schamhorst

VACANCIES: 003

On motion of Representative Moon, **HB 1647** was ordered perfected and printed.

**HCS HB 1867**, relating to underground facility safety, was taken up by Representative Schatz.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1867, Page 14, Section 319.031, Line 5, by deleting from said line the phrase "**or are likely to exist**"; and

Further amend said section and page, Lines 7 and 8, by deleting from said lines the phrase "**or are likely to exist**"; and

Further amend said section and page, Line 9, by inserting after the phrase "**best available information**" the phrase "**, or notice that the information does not exist,**"; and

Further amend said section and page, Line 18, by inserting immediately after the phrase "**best available information**" on said line the phrase "**, or notice that the information does not exist,**"; and

Further amend said section and page, Line 19, by deleting from said line the phrase "**or are likely to exist**"; and

Further amend said section and page, Line 24, by deleting from said line the phrase "**or are likely to exist**"; and

Further amend said bill, Section 319.033, Page 15, Lines 3 to 7, by removing all of said lines from the bill and inserting in lieu thereof the following:

**"319.015, or if such infras tructure is replaced, or rehabilitated by excavation within the public right-of-way, the facility owner shall be required to place an access point and cleanout at the edge of the public right-of-way at the facility owner's expense. Trace wire shall be placed in the access point and cleanout and shall be designed to give approximate locations of the underground lateral"; and**

Further amend said section, Page 15, Lines 12 to 14, by removing all of said lines from the bill and inserting in lieu thereof the following:

**"of negligence against the facility owner failing to provide an access point and cleanout or to install tracer wire or a similar technology, and violators shall be liable for damages caused by their failure to act in accordance with this section."; and**

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

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

On motion of Representative Schatz, **HCS HB 1867, as amended**, was adopted.

On motion of Representative Schatz, **HCS HB 1867, as amended**, was ordered perfected and printed.

**HCS HB 1937**, relating to the liability of property owners, was taken up by Representative McGaugh.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1937, Page 5, Section 537.345, Line 11, by inserting after the word "biking," the following:

"**aviation activities for personal or private use and not for a commercial event or gathering**," and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1937, Page 6, Section 537.348, Line 28, by inserting after all of said section and line the following:

"578.018. 1. Any duly authorized [public health official or] law enforcement official may seek a warrant from the appropriate **circuit** court to enable him or her to enter private property in order to inspect, care for, or [impound] **confiscate** neglected or abused animals **as set forth in said warrant**. All requests for such warrants shall be **signed, witnessed, and** accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to [578.023] **578.025** has occurred. A person acting under the authority of a warrant shall:

(1) [Be given a] **Appear at a** disposition hearing before the court through which the warrant was issued, within thirty days [of the filing of the request] **of confiscation** for the purpose of granting immediate disposition of the animals [impounded] . **No animal shall be sterilized prior to the completion of such disposition hearing unless necessary to save life or relieve suffering;**

(2) Place [impounded] animals in the care or custody of a veterinarian, the appropriate animal control authority, [or] an animal shelter, **or third party approved by the court**. If no appropriate veterinarian, animal control authority, [or] animal shelter, **or third party** is available, the animal shall not be [impounded] **confiscated** unless it is diseased or disabled beyond recovery for any useful purpose;

(3) Humanely kill any animal [impounded] **confiscated** if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;

(4) Not be liable for any **reasonable and necessary** damage to property while acting under such warrant.

2. **(1) The owner of any animal that has been confiscated under this section shall not be responsible for the animal's care and keeping prior to a disposition hearing if the owner is acquitted or there is a final discharge without conviction.**

**(2) After completion of the disposition hearing**, the owner or custodian or any person claiming an interest in any animal that has been [impounded] **confiscated** because of neglect or abuse may prevent disposition of the animal **after the disposition hearing and until final judgment, settlement, or dismissal of the case** by posting **reasonable** bond or security **within seventy-two hours of the disposition hearing** in an amount sufficient to provide for the animal's care and keeping [for at least thirty days, inclusive of the date on which the animal was taken into custody] **and consistent with the fair market cost of boarding such an animal in an appropriate retail boarding facility**. Notwithstanding the fact that **reasonable** bond may be posted pursuant to this [subsection] **subdivision**, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which **reasonable** expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a **reasonable** bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal.

(3) The authority taking custody of an animal shall give notice of the provisions of this section [by posting a copy of this section at the place where the animal was taken into custody or] by delivering it to a person residing on the property.

3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by a licensed veterinarian to be diseased or disabled **beyond recovery for any useful purpose**, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of [impoundment] **confiscation and after completion of the disposition hearing**.

4. **All animals confiscated under this section shall receive proper care as determined by state law and regulations for each specific animal and facility or organization where the animal is placed after such confiscation. Any such facility or organization shall be liable to the owner for damages for any negligent acts or abuse of such animal which occurs while the animal is in the care, custody, and control of such facility or organization.**

5. **If the owner posted a sufficient bond and is acquitted or there is a final discharge without conviction, unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence, the owner may demand the return of the animal held in custody. Any entity with care, custody, and control of such animal shall immediately return such animal to the owner upon demand and proof of such acquittal or final discharge without conviction. Upon acquittal or final discharge without conviction, unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence, the owner shall not be liable for any costs incurred relating to the placement or care of the animal during the pendency of the charges.**

6. **Any person or entity that intentionally euthanizes, other than as permissible under this section, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which reasonable bond was secured for the animal's care is guilty of a class B misdemeanor and shall be liable to the owner of the animal for damages including the actual value of the animal. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor and any entity licensed under state law shall be subject to licensure sanction by its governing body.**

578.030. 1. The provisions of section 43.200 notwithstanding, any member of the state highway patrol or other law enforcement officer may apply for and serve a search warrant, and shall have the power of search and seizure in order to enforce the provisions of sections 578.025 to 578.050. **All requests for such warrants shall be signed, witnessed, and accompanied by an affidavit stating the probable cause to believe a violation of sections 578.025 to 578.050 has occurred.**

2. Any member of the state highway patrol or other law enforcement officer making an arrest under section 578.025 shall lawfully take possession of all dogs or other animals **in accordance with the provisions of section 578.018** and all paraphernalia, implements, or other property or things used or employed, or about to be employed, in the violation of any of the provisions of section 578.025. Such officer, after taking possession of such dogs, animals, paraphernalia, implements or other property or things, shall file with the court before whom the complaint is made against any person so arrested an affidavit stating therein the name of the person charged in such complaint, a description of the property so taken and the time and place of the taking thereof together with the name of the person from whom the same was taken and the name of the person who claims to own such property, if known, and that the affiant has reason to believe and does believe, stating the ground of such belief, that the property so taken was used or employed, or was about to be used or employed, in such violation of section 578.025. He **or she** shall thereupon deliver the property so taken to the court, which shall, by order in writing, place the same in the custody of an officer or other proper person named and designated in such order, to be kept by him **or her** until the conviction or final discharge of such person complained against, and shall send a copy of such order without delay to the prosecuting attorney of the county. The officer or person so named and designated in such order shall immediately thereupon assume the custody of such property and shall retain the same, subject to the order of the court before which such person so complained against may be required to appear for trial. **If the property includes animals, the placement of the animals shall be handled in accordance with the provisions of section 578.018.** Upon the conviction of the person so charged, all property so seized shall be adjudged by the court to be forfeited and shall thereupon be destroyed or otherwise disposed of as the court may order. In the event of the acquittal or final discharge without conviction of the person so charged, such court shall, on demand, direct the delivery of such property so held in custody to the owner thereof."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1937, Page 6, Section 537.348, Line 28, by inserting after all of said section and line the following:

**"Section 1. 1. If any additional fencing or enclosure requirements are imposed on deer breeders or big game hunting preserves by the department of conservation other than the fencing or enclosure requirements as they existed on January 1, 2014, the department shall not find the property owners or the operators of the breeding operation or big game hunting preserve liable in excess of one dollar per violation. No owner or operator of the breeding operation or big game hunting preserve shall be found guilty of said violation in excess of once per year.**

**2. No violation of additional fencing or enclosure requirements other than the fencing or enclosure requirements as they existed on January 1, 2014, shall be considered by the department when reviewing an application for a new permit or renewal of an existing permit."; and**

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

Representative Roorda raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

**House Amendment No. 3** was withdrawn.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gannon	Guemsey	Haahr	Hampton	Hansen
Higdon	Hoskins	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wood	Zerr	Mr. Speaker		

NOES: 044

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

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Burns	Curtman	Ellinger	Gardner
Gatschenberger	Gosen	Grisamore	Haefner	Hicks
Hinson	Hodges	Hough	Kelley 127	LaFaver
McDonald	Molendorp	Muntzel	Neely	Remole
Smith	Webber	Wilson		

VACANCIES: 003

On motion of Representative McGaugh, **HCS HB 1937, as amended**, was adopted.

On motion of Representative McGaugh, **HCS HB 1937, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1231** - Fiscal Review  
**HB 1684** - Fiscal Review  
**HCS HB 1867** - Fiscal Review  
**HCS HB 1936** - Fiscal Review  
**HB 2063** - Fiscal Review  
**HCS HB 2116** - Fiscal Review  
**HCS HB 2118** - Fiscal Review  
**HCS HB 2238** - Fiscal Review  
**HB 2032** - General Laws  
**HB 2033** - Elementary and Secondary Education  
**HB 2039** - Government Oversight and Accountability  
**HB 2044** - Ways and Means  
**HB 2047** - Crime Prevention and Public Safety  
**HB 2048** - Judiciary  
**HB 2069** - Agriculture Policy  
**HB 2073** - Ways and Means  
**HB 2087** - Crime Prevention and Public Safety  
**HB 2104** - Workforce Development and Workplace Safety



- HB 2105** - Retirement
- HB 2109** - Local Government
- HB 2110** - Economic Development
- HB 2113** - Elementary and Secondary Education

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

- SCR 34** - Special Standing Committee on Small Business

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

- HCS SS SCS SB 491** - Fiscal Review
- SCS SB 612** - Fiscal Review
- SS SB 745** - Fiscal Review
- SCS SB 704** - Professional Registration and Licensing
- SCS SB 729** - Economic Development
- SB 786** - General Laws
- SCS SB 809** - Professional Registration and Licensing
- SCS SB 824** - General Laws
- SCS SB 852** - Crime Prevention and Public Safety
- SCS SB 854** - General Laws

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SJR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 767**, 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.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 773**, 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 Economic Development**, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1171**, 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.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 2038**, 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.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 2054**, 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 Elementary and Secondary Education**, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SBs 493, 485, 495, 516, 534, 545, 595, 616 & 624**, 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 Emerging Issues in Agriculture**, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **SB 727**, 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 Financial Institutions**, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SS SCS SB 706**, 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 General Laws**, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1226**, 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.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1799**, 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.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2136**, 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.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2188**, 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.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2272**, 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.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 639**, 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 **SS SCR 36**, 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 Insurance**, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 2209**, 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 Judiciary**, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 499**, 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.

**Special Standing Committee on Corrections**, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **SB 796**, 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 Tourism and Natural Resources**, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1607**, 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.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1953**, 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 Workforce Development and Workplace Safety**, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1734**, 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 Rules**, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1976**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1079**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1218**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HRB 1298**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1361**, entitled:

An act to repeal sections 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof five new sections relating to domestic surplus lines insurers.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for House Bill No. 1361, Page 1, Section Title, Line 4 of said title, by striking the following: "domestic surplus lines insurers" and inserting in lieu thereof the word "insurance"; and

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

**"376.1060. 1. As used in this section, the following terms shall mean:**

**(1) "Contracting entity", any person or entity that is engaged in the act of contracting with providers for the delivery of dental services or the selling or assigning of dental network plans to other health care entities;**

**(2) "Identify", providing in writing, by email or otherwise, to the participating provider the name, address, and telephone number, to the extent possible, for any third party to which the contracting entity has granted access to the health care services of the participating provider;**

**(3) "Network plan", health insurance coverage offered by a health insurance issuer under which the financing and delivery of dental services are provided in whole or in part through a defined set of participating providers under contract with the health insurance issuer;**

**(4) "Participating provider", a provider who, under a contract with a contracting entity, has agreed to provide dental services with an expectation of receiving payment, other than coinsurance, copayments or deductibles, directly or indirectly from the contracting entity;**

**(5) "Provider", any person licensed under section 332.071.**

**2. A contracting entity shall not sell, assign, or otherwise grant access to the dental services of a participating provider under a health care contract unless expressly authorized by the health care contract. The health care contract shall specifically provide that one purpose of the contract is the selling, assigning, or giving the contracting entity rights to the services of the participating provider, including network plans.**

**3. Upon entering a contract with a participating provider and upon request by a participating provider, a contracting entity shall properly identify any third party that has been granted access to the dental services of the participating provider.**

**4. A contracting entity that sells, assigns, or otherwise grants access to the dental services of a participating provider shall maintain an internet website or a toll-free telephone number through which the participating provider may obtain a listing, updated at least every ninety days, of the third parties that have been granted access to the participating provider's dental services.**

**5. A contracting entity that sells, assigns, or otherwise grants access to a participating provider's dental services shall ensure that an explanation of benefits or remittance advice furnished to the participating provider that delivers dental services under the health care contract identifies the contractual source of any applicable discount.**

**6. All third parties that have contracted with a contracting entity to purchase, be assigned, or otherwise be granted access to the participating provider's discounted rate shall comply with the participating provider's contract, including all requirements to encourage access to the participating provider, and pay the participating provider pursuant to the rates of payment and methodology set forth in that contract, unless otherwise agreed to by a participating provider.**

**7. A contracting entity is deemed in compliance with this section when the insured's identification card provides information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services."; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2029**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 638 & 647**, entitled:

An act to repeal sections 135.460, 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof four new sections relating to certain benevolent tax credits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SB 754**, entitled:

An act to repeal sections 208.798, 338.059, and 338.220, RSMo, and to enact in lieu thereof five new sections relating to pharmacy.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 844**, entitled:

An act to repeal section 288.500, RSMo, and to enact in lieu thereof one new section relating to the shared work unemployment compensation program, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 896**, entitled:

An act to amend chapters 67 and 94, RSMo, by adding thereto three new sections relating to taxes imposed by certain counties.

In which the concurrence of the House is respectfully requested.

**MESSAGE FROM THE GOVERNOR**

April 23, 2014

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
97<sup>th</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2014** entitled:

AN ACT

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2014.

On April 23, 2014 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2014**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

**COMMUNICATION**

April 23, 2014

D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
201 West Capitol Avenue  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am currently an owner and the general partner of an entity that owns and operates a sawmill in the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this report in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Representative Keith Frederick, D.O.  
District 121

## **ADJOURNMENT**

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 24, 2014.

## **COMMITTEE HEARINGS**

### **AGRICULTURE POLICY**

Thursday, April 24, 2014, Upon Morning Adjournment, North Gallery.

Executive session will be held: SB 859

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

### **DOWNSIZING STATE GOVERNMENT**

Thursday, April 24, 2014, 8:05 AM, House Hearing Room 4.

Public hearing will be held: HB 1381, SCS SRB 714, SS SB 575

Executive session will be held: SCS SB 623

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

### **FISCAL REVIEW**

Thursday, April 24, 2014, Upon Morning Adjournment, House Hearing Room 3.

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

**CANCELLED**

### **FISCAL REVIEW**

Thursday, April 24, 2014, 8:30 AM, House Hearing Room 2.

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

### **FISCAL REVIEW**

Monday, April 28, 2014, 1:30 PM, House Hearing Room 2.

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

**CORRECTED**

### **GENERAL LAWS**

Thursday, April 24, 2014, 9:00 AM, House Hearing Room 3.

Public hearing will be held: HB 2260, SB 907, HB 2180, SB 992, SS SCS SB 774, SS SCS SB 841

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

Amended: Removed HB 2186 from hearing.

**AMENDED**

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Thursday, April 24, 2014, 8:00 AM, House Hearing Room 6.

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

Fiscal note recommendations.

Some portions of the meeting may be closed pursuant to Section 610.021.



**RULES**

Thursday, April 24, 2014, Upon Morning Adjournment, South Gallery.

Executive session will be held: HB 1111, HB 1142, HB 1152, HCS HB 1200, HCS HB 1247, HCS HBs 1258 & 1267, HCS HB 1346, HCS HB 1425, HCS HB 1448, HCS HB 1488, HCS HB 1492, HB 1544, HB 1548, HB 1562, HB 1563, HCS HB 1564, HCS HB 1634, HB 1668, HB 1737, HB 1766, HCS HB 1807, HCS HB 1823, HB 2053, HB 2219, HCS SCS SB 492, HCS SB 504, HCS SS SB 525, SCS SB 526, SB 610, SB 628, HCS SB 662, HCS SCS SB 723, SS SB 741, HCR 48, HR 1016, SCR 29

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

Executive session will be held on HCS SCS SBs 493, 485, 495, 516, 534, 545, 595, 616, & 624, pending referral.

**AMENDED**

**SPECIAL STANDING COMMITTEE ON SMALL BUSINESS**

Thursday, April 24, 2014, 9:00 AM, South Gallery.

Executive session will be held: SCS SB 777, SCS SB 635

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

**TOURISM AND NATURAL RESOURCES**

Thursday, April 24, 2014, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HCR 49, SCR 20, HB 2252

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

**HOUSE CALENDAR**

FIFTY-SEVENTH DAY, THURSDAY, APRIL 24, 2014

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 62 - Bahr
- 2 HJR 70 - Jones (50)

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1821 - Diehl
- 2 HB 1342 - Scharnhorst
- 3 HCS HB 1350 - Richardson
- 4 HCS HB 1116 - Hicks
- 5 HCS HB 1662 - Richardson
- 6 HB 1474 - Brattin
- 7 HCS HB 1967 - Koenig
- 8 HCS#2 HB 1153 - Pace
- 9 HB 1314 - Frederick
- 10 HCS HB 1484 - Korman
- 11 HB 1541 - Hubbard
- 12 HCS HB 1583 - Berry
- 13 HCS HB 1728 - Love

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- 14 HB 1792 - Fitzwater
- 15 HB 2077 - Stream
- 16 HCS HB 1898 - Bahr
- 17 HB 2070 - Hough
- 18 HCS HB 2078 - Funderburk
- 19 HCS HB 2131 - Elmer
- 20 HCS HB 2141 - Diehl
- 21 HB 2155 - Scharnhorst
- 22 HCS HB 1054 - Barnes
- 23 HCS HB 1056 - Johnson
- 24 HCS HB 1183 - Gosen
- 25 HCS HB 1478 - Swan
- 26 HB 1486 - Fitzpatrick
- 27 HB 1543 - Hinson
- 28 HCS HB 1725 - Frederick
- 29 HCS HB 1743 - Funderburk
- 30 HCS HB 1935 - Austin
- 31 HCS HB 1949 - Thomson
- 32 HCS HB 1990 - Fitzwater
- 33 HB 1993 - Bernskoetter
- 34 HCS HB 2049 - Fitzpatrick
- 35 HB 2099 - Franklin

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 1219 - Dugger

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1770 - Burlison
- 2 HCS HB 1952 - Reiboldt
- 3 HCS HB 1304 - Gosen
- 4 HB 2126 - McGaugh
- 5 HCS HB 2238, E.C., (Fiscal Review 4/23/14) - Jones (50)
- 6 HCS HB 1655 - Burlison
- 7 HCS HB 1936, (Fiscal Review 4/23/14) - Dugger
- 8 HCS HB 2085 - Austin
- 9 HB 1684, (Fiscal Review 4/23/14) - Fitzwater
- 10 HB 1358 - Flanigan
- 11 HB 1647 - Moon

**HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE**

HB 1713, E.C. - Lauer

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 1568 - Frederick

**SENATE BILLS FOR SECOND READING**

- 1 SCS SBs 638 & 647
- 2 SS#2 SB 754
- 3 SB 844
- 4 SCS SB 896

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 8 - Richardson
- 2 HCR 16 - Guernsey
- 3 HCR 19 - Gannon
- 4 HCR 27 - May

**SENATE JOINT RESOLUTIONS FOR THIRD READING**

SCS SJR 36 - Diehl

**SENATE BILLS FOR THIRD READING**

- 1 SB 652 - Funderburk
- 2 SCS SB 613 - Funderburk
- 3 SB 690 - Hough
- 4 SB 766 - Mitten
- 5 SB 523 - Bahr
- 6 HCS SB 600 - Davis
- 7 HCS SS SCS SB 491, (Fiscal Review 4/23/14) - Cox
- 8 SB 890 - Hough
- 9 SS SCS SB 510 - Cierpiot
- 10 SCS SB 612, (Fiscal Review 4/23/14) - Hoskins
- 11 SB 689 - Gosen
- 12 HCS SS SB 694 - Dugger
- 13 SS SB 745, (Fiscal Review 4/23/14) - Jones (50)

**HOUSE RESOLUTIONS**

HR 1485 - Diehl