

# JOURNAL OF THE HOUSE

First Regular Session, 100th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 19, 2019

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

*The people who walked in darkness have seen a great light. (Isaiah 9:2)*

Almighty God, who has given wonderful light to those who sit in deep darkness, love to those who would live with darkness in their hearts, and life to those who walk through the valley of the shadow of death: Grant that in Your powerful light we may see light clearly, in Your love may we possess love fully, and in Your life may we learn to live all our lives.

Guide and protect the citizens of our Show-Me State in the ways of righteousness and in the paths of peace. May good will live in all our hearts binding us together in the bond of true family, to the glory of Your holy name and the power of unity.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-second day was approved as printed by the following vote:

AYES: 133

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Baringer	Barnes	Basye	Beck
Black 137	Black 7	Bondon	Bromley	Brown 27
Burnett	Burns	Busick	Butz	Carter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Eslinger	Evans	Falkner III	Fishel
Fitzwater	Francis	Gannon	Gray	Green
Gregory	Grier	Griesheimer	Griffith	Haffner
Hannegan	Hansen	Helms	Henderson	Hill
Houx	Hovis	Hudson	Hurst	Ingle
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Lavender	Lovasco	Love
Lynch	Mackey	Mayhew	McCreery	McDaniel
McGaugh	McGill	Merideth	Messenger	Miller
Mitten	Morse 151	Muntzel	Murphy	Neely
O'Donnell	Patterson	Pfautsch	Pierson Jr.	Pietzman
Pike	Plocher	Pogue	Pollitt 52	Pollock 123
Porter	Proudie	Quade	Razer	Reedy

Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rogers	Rowland	Runions
Ruth	Sain	Sauls	Sharpe	Shaul 113
Shawan	Shields	Shull 16	Smith	Solon
Sommer	Spencer	Stacy	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walsh	Washington	Wiemann	Wilson
Wood	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 027

Bangert	Billington	Bland Manlove	Bosley	Brown 70
Carpenter	Ellebracht	Ellington	Franks Jr.	Haden
Hicks	McGee	Moon	Morgan	Morris 140
Mosley	Price	Rehder	Roeber	Rone
Ross	Schnelting	Schroer	Simmons	Stephens 128
Walker	Windham			

VACANCIES: 002

## HOUSE RESOLUTIONS

Representative Pike offered House Resolution No. 587.

Representative Neely offered House Resolution No. 588.

## INTRODUCTION OF HOUSE BILLS

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

**HB 978**, introduced by Representative Shawan, relating to liability for prescribed burns.

**HB 979**, introduced by Representative Schroer, relating to the designation of a memorial highway.

**HB 980**, introduced by Representative Morgan, relating to classroom placement of children.

**HB 981**, introduced by Representative Mitten, relating to qualified spousal trusts.

**HB 982**, introduced by Representative Hicks, relating to Missouri capitol police.

**HB 983**, introduced by Representative Runions, relating to election costs.

**HB 984**, introduced by Representative Wilson, relating to railroad grade crossings.

**HB 985**, introduced by Representative Sain, relating to the 911 good Samaritan act.

**HB 986**, introduced by Representative Dogan, relating to exceptions to prescription limitations.

**HB 987**, introduced by Representative Wright, relating to hospital patients in law enforcement custody.

**HB 988**, introduced by Representative Carpenter, relating to payments to employees.

**HB 989**, introduced by Representative Price, relating to juror compensation.

**HB 990**, introduced by Representative Price, relating to elections.

**HB 991**, introduced by Representative Price, relating to the election anti-fraud fairness act.

**HB 992**, introduced by Representative Price, relating to elections.

**HB 993**, introduced by Representative Price, relating to elections.

**HB 994**, introduced by Representative Price, relating to elections.

**HB 995**, introduced by Representative Price, relating to the storage of firearms, with penalty provisions.

**HB 996**, introduced by Representative Hicks, relating to fines for failing to yield the right-of-way, with penalty provisions.

**HB 997**, introduced by Representative Ellebracht, relating to audit requests while investigating offenses committed by public servants.

**HB 998**, introduced by Representative Proudie, relating to the school for the deaf.

**HB 999**, introduced by Representative Proudie, relating to the school for the blind.

## **SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the second time:

**HCR 40**, relating to paid family and medical leave.

**HCR 43**, relating to the Green New Deal.

**HCR 44**, relating to the appointment and duties of commissioners to attend an Article V convention.

## **SECOND READING OF HOUSE BILLS**

The following House Bills were read the second time:

**HB 963**, relating to income tax, with an emergency clause.

**HB 964**, relating to abortion, with penalty provisions.

**HB 965**, relating to the hand-up program.

**HB 966**, relating to the offense of vehicle hijacking, with penalty provisions.

**HB 967**, relating to diversion authority of prosecuting attorneys.

**HB 968**, relating to the sunshine law.

**HB 969**, relating to public nuisance, with penalty provisions.

**HB 970**, relating to visually impaired voters.

**HB 971**, relating to abortion, with penalty provisions.

**HB 972**, relating to tax credits for certain teachers.

**HB 973**, relating to the nonpartisan state demographer.

**HB 974**, relating to election judges.

**HB 975**, relating to public water fluoridation.

**HB 976**, relating to the visiting scholars certificate.

**HB 977**, relating to social model end of life care homes.

## **SECOND READING OF SENATE BILLS**

The following Senate Bills were read the second time:

**SCS SB 6**, relating to controlled substances, with penalty provisions.

**SB 20**, relating to the expiration of a court surcharge for deposit in the DNA profiling analysis fund.

**SS SB 38**, relating to the employer-employee relationship.

**SCS SB 89**, relating to commercial driver's licenses, with existing penalty provisions.

## PERFECTION OF HOUSE BILLS

**HB 113**, relating to minimum terms of imprisonment, was taken up by Representative Smith.

On motion of Representative Smith, the title of **HB 113** was agreed to.

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

### *House Amendment No. 1*

AMEND House Bill No. 113, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

"558.019. 1. This section shall not be construed to affect the powers of the governor under Article IV, Section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, section 566.125, or section 571.015, which set minimum terms of sentences, or the provisions of section 559.115, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall be applicable to all classes of felonies except those set forth in chapter 579, or in chapter 195 prior to January 1, 2017, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include an offender's first incarceration prior to release on probation under section 217.362 or 559.115. Other provisions of the law to the contrary notwithstanding, any offender who has been found guilty of a felony other than a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains ~~[seventy]~~ **sixty-five** years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains ~~[seventy]~~ **sixty-five** years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be eighty percent of his or her sentence or until the offender attains ~~[seventy]~~ **sixty-five** years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any offender who has been found guilty of a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve a minimum prison term ~~[of]~~ **as follows:**

**(1) If the offender has no previous felony convictions, the offender shall serve fifty percent of the sentence imposed by the court or, if the offender attains sixty-five years of age, forty percent of the sentence imposed, whichever occurs first;**

**(2) If the offender has one previous felony conviction unrelated to the offense for which the offender is serving, the offender shall serve sixty-six percent of the sentence imposed by the court or, if the offender attains sixty-five years of age, fifty percent of the sentence imposed, whichever occurs first; or**

**(3) If the offender has two or more previous felony convictions unrelated to the offense for which the offender is serving, the offender shall serve eighty-five percent of the sentence imposed by the court or ~~[until]~~, if the offender attains ~~[seventy]~~ **sixty-five** years of age, ~~[and has served at least forty]~~ **sixty** percent of the sentence imposed, whichever occurs first.**

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for offenses committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the offender before he or she is eligible for parole, conditional release or other early release by the department of corrections.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar offenses and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor, if sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

(4) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(5) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(6) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

(1) Restitution to any victim or a statutorily created fund for costs incurred as a result of the offender's actions;

(2) Offender treatment programs;

(3) Mandatory community service;

(4) Work release programs in local facilities; and

(5) Community-based residential and nonresidential programs.

9. The provisions of this section shall apply only to offenses occurring on or after August 28, 2003.

10. Pursuant to subdivision (1) of subsection 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

11. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a person to make payment.

12. A person who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the person either willfully refused to make the payment

or that the person willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

13. Nothing in this section shall be construed to allow the sentencing advisory commission to issue recommended sentences in specific cases pending in the courts of this state."; and

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

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

Which motion was defeated.

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

*House Amendment No. 2*

AMEND House Bill No. 113, Page 1, Section 558.043, Line 1, by inserting immediately after the number "558.043." the number "1."; and

Further amend said bill, page, and section, Line 19, by inserting immediately after said line the following:

**"2. Nothing in this section shall preclude a sentencing judge from recommending that individuals convicted of offenses under subdivision (1) or (3) of subsection 1 of this section be placed in a treatment program under section 217.362 or sentenced under section 559.115.";** and

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

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

Which motion was defeated.

On motion of Representative Smith, **HB 113** was ordered perfected and printed.

**HB 321**, relating to limited liability companies, was taken up by Representative Solon.

On motion of Representative Solon, the title of **HB 321** was agreed to.

On motion of Representative Solon, **HB 321** was ordered perfected and printed.

**HB 402**, relating to traffic control signals, was taken up by Representative Basye.

On motion of Representative Basye, the title of **HB 402** was agreed to.

On motion of Representative Basye, **HB 402** was ordered perfected and printed.

**HCS HB 303**, relating to inmate canteen funds, was taken up by Representative Hansen.

On motion of Representative Hansen, the title of **HCS HB 303** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 303, Page 2, Section 217.195, Line 40, by inserting immediately after said section and line the following:

**"217.199. 1. As used in this section, "healthcare products" include tampons and sanitary napkins. 2. The director shall ensure that healthcare products are available for free to offenders while confined in any correctional center of the department, in a quantity that is appropriate for the healthcare needs of each offender. The director shall ensure that the healthcare products conform with applicable industry standards.";** and

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

Representative Ross assumed the Chair.

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 303, Page 1, In the Title, Lines 2-3, by deleting the words "inmate canteen funds" and inserting in lieu thereof the words "the department of corrections"; and

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

Representative Trent raised a point of order that **House Amendment No. 2** was untimely.

Representative Ross requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**MOTION**

Representative Ellington, having voted on the prevailing side, moved that the vote by which the title of **HCS HB 303** was agreed to, be reconsidered.

Which motion was defeated by the following vote:

AYES: 041

Appelbaum	Bangert	Baringer	Barnes	Beck
Bosley	Brown 27	Brown 70	Burnett	Burns
Butz	Carpenter	Carter	Clemens	Ellebracht
Ellington	Gray	Green	Ingle	Kendrick
Lavender	Mackey	McCreery	McGee	Merideth
Mitten	Morgan	Mosley	Pierson Jr.	Proudie
Quade	Razer	Roberts 77	Rogers	Rowland
Sain	Sauls	Stevens 46	Unsicker	Washington
Windham				



NOES: 104

Allred	Anderson	Andrews	Bailey	Baker
Basye	Black 137	Bondon	Bromley	Busick
Chipman	Christofanelli	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Eslinger	Evans	Falkner III	Fishel	Fitzwater
Francis	Gannon	Gregory	Grier	Griesheimer
Griffith	Haffner	Hannegan	Hansen	Helms
Henderson	Hicks	Hill	Houx	Hovis
Hudson	Hurst	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Lovasco	Lynch
Mayhew	McGaugh	McGirl	Messenger	Miller
Moon	Morris 140	Morse 151	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pietzman
Pike	Plocher	Pogue	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roden	Roeber
Ross	Ruth	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Shull 16	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Swan	Taylor	Trent	Veit	Vescovo
Walsh	Wiemann	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 016

Billington	Black 7	Bland Manlove	Chappelle-Nadal	Franks Jr.
Haden	Love	McDaniel	Price	Rone
Runions	Simmons	Tate	Walker	Wilson
Wood				

VACANCIES: 002

On motion of Representative Hansen, **HCS HB 303, as amended**, was adopted.

On motion of Representative Hansen, **HCS HB 303, as amended**, was ordered perfected and printed.

**HCS HB 499**, relating to accidents occurring in work or emergency zones, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, the title of **HCS HB 499** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 499, Page 1, Section 304.580, Line 12, by inserting after the phrase "state highway," on said line the following:

**"a waste disposal or recycling worker,"**; and

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

Representative Roden raised a point of order that members were in violation of House Rule 85.

Representative Ross requested a parliamentary ruling.

The Parliamentary Committee took the point of order under advisement.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allred	Anderson	Andrews	Baker	Basye
Black 137	Black 7	Bondon	Bromley	Busick
Chipman	Christofanelli	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Eggleston	Eslinger
Evans	Falkner III	Fishel	Fitzwater	Francis
Gannon	Gregory	Grier	Griesheimer	Griffith
Haden	Haffner	Hannegan	Hansen	Helms
Henderson	Hill	Houx	Hovis	Hudson
Hurst	Justus	Kelley 127	Kelly 141	Knight
Kolkmeyer	Lovasco	Love	Lynch	Mayhew
McGaugh	McGill	Messenger	Miller	Moon
Morris 140	Morse 151	Muntzel	Murphy	Neely
O'Donnell	Patterson	Pfautsch	Pietzman	Pogue
Pollitt 52	Pollock 123	Porter	Reedy	Rehder
Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roden	Roeber	Rone	Ross	Ruth
Schnelting	Sharpe	Shawan	Shields	Shull 16
Smith	Solon	Spencer	Stacy	Stephens 128
Swan	Taylor	Trent	Veit	Vescovo
Walsh	Wiemann	Wilson	Wood	Wright
Mr. Speaker				

NOES: 038

Appelbaum	Bangert	Baringer	Barnes	Beck
Bosley	Brown 27	Brown 70	Burnett	Burns
Butz	Carpenter	Carter	Clemens	Ellebracht
Ellington	Green	Kendrick	Lavender	Mackey
McGee	Merideth	Morgan	Mosley	Pierson Jr.
Proudie	Quade	Razer	Roberts 77	Rogers
Rowland	Runions	Sain	Sauls	Stevens 46
Unsicker	Washington	Windham		

PRESENT: 000

ABSENT WITH LEAVE: 022

Bailey	Billington	Bland Manlove	Chappelle-Nadal	Dohrman
Franks Jr.	Gray	Hicks	Ingle	Kidd

McCreery	McDaniel	Mitten	Pike	Plocher
Price	Schroer	Shaul 113	Simmons	Sommer
Tate	Walker			

VACANCIES: 002

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

Speaker Haahr resumed the Chair.

On motion of Representative Griesheimer, **HCS HB 499, as amended**, was adopted.

On motion of Representative Griesheimer, **HCS HB 499, as amended**, was ordered perfected and printed.

On motion of Representative Vescovo, the House recessed until 2:00 p.m.

### AFTERNOON SESSION

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 073

Anderson	Andrews	Appelbaum	Bailey	Baker
Bangert	Basye	Beck	Black 137	Black 7
Bosley	Bromley	Brown 27	Brown 70	Burns
Busick	Carter	Clemens	Deaton	DeGroot
Eslinger	Evans	Falkner III	Fishel	Francis
Gannon	Griffith	Haden	Haffner	Hannegan
Helms	Henderson	Hicks	Hill	Hovis
Hurst	Justus	Lovasco	Mayhew	McGaugh
McGill	Messenger	Miller	Morgan	Morse 151
Mosley	Muntzel	Murphy	Pfautsch	Pogue
Pollock 123	Porter	Quade	Razer	Reedy
Richey	Roberts 161	Rogers	Sain	Schnelting
Sharpe	Shawan	Shull 16	Simmons	Smith
Solon	Taylor	Veit	Walsh	Wiemann
Wilson	Windham	Wright		

NOES: 000

PRESENT: 036

Allred	Baringer	Burnett	Chipman	Christofanelli
Dinkins	Dohrman	Eggleston	Fitzwater	Griesheimer
Houx	Hudson	Kelley 127	Kidd	Knight
Lynch	Merideth	Neely	O'Donnell	Pike
Pollitt 52	Toalson Reisch	Riggs	Roberts 77	Roden

Ross	Runions	Ruth	Shields	Stephens 128
Stevens 46	Trent	Unsicker	Vescovo	Wood
Mr. Speaker				

ABSENT WITH LEAVE: 052

Barnes	Billington	Bland Manlove	Bondon	Butz
Carpenter	Chappelle-Nadal	Coleman 32	Coleman 97	Dogan
Ellebracht	Ellington	Franks Jr.	Gray	Green
Gregory	Grier	Hansen	Ingle	Kelly 141
Kendrick	Kolkmeyer	Lavender	Love	Mackey
McCreery	McDaniel	McGee	Mitten	Moon
Morris 140	Patterson	Pierson Jr.	Pietzman	Plocher
Price	Proudie	Rehder	Remole	Roeber
Rone	Rowland	Sauls	Schroer	Shaul 113
Sommer	Spencer	Stacy	Swan	Tate
Walker	Washington			

VACANCIES: 002

### PERFECTION OF HOUSE BILLS

**HCS HB 242**, relating to death investigations, was taken up by Representative Neely.

On motion of Representative Neely, the title of **HCS HB 242** was agreed to.

Speaker Pro Tem Wiemann assumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 242, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

**"58.035. 1. There is hereby established within the department of health and senior services a "Coroner Standards and Training Commission", which shall be composed of eleven members, appointed by the governor, with the advice and consent of the senate. No more than two members of the coroner standards and training commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to any state director. No two members of the commission shall be employees of the same county. Six members of the coroner standards and training commission shall be elected county coroners, two members shall be currently appointed medical examiners, one member shall be an elected county prosecutor, one member shall be the director of the department of public safety or his or her designee, and one member shall be the director of the department of health and senior services or his or her designee. Each member of the coroner standards and training commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are coroners shall be qualified as established by chapter 58. No member of the commission, except the directors of state departments, serving a full term of three years may be reappointed to the coroner standards and training commission until at least one year after the expiration of his or her most recent term.**

**2. Three of the original members of the coroner standards and training commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed for terms of three years. Thereafter the terms of the members of the coroner standards and training commission, except the state department directors, shall be for three years or until their successors are appointed. The governor may remove any member of the coroner**

standards and training commission for misconduct or neglect of office. Any member of the coroner standards and training commission may be removed for cause by the governor but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the coroner standards and training commission if the member so requests.

3. Annually the commission shall elect one of the members as chairperson. The coroner standards and training commission shall meet at least twice each year as determined by the director of the department of health and senior services or his or her designee, the chairperson, or a majority of the members to perform its duties. A majority of the members of the coroner standards and training commission shall constitute a quorum.

4. No member of the coroner standards and training commission shall receive any compensation for the performance of his or her official duties.

5. The coroner standards and training commission shall establish training standards relating to the office of county coroner. These standards shall relate to the operation of the office, the legal responsibilities of the office, and the technical skills and knowledge required of the office. The commission shall establish the training standards by July 1, 2020. The Missouri Coroners' and Medical Examiners' Association shall begin providing such training by November 1, 2020.

6. 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, 2019, shall be invalid and void.

58.095. 1. The county coroner in any county, other than in a ~~[first classification chartered]~~ **charter** county, shall receive an annual salary computed on a basis as set forth in the following schedule. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$8,000
41,000,000 to 53,999,999	8,500
54,000,000 to 65,999,999	9,000
66,000,000 to 85,999,999	9,500
86,000,000 to 99,999,999	10,000
100,000,000 to 130,999,999	11,000
131,000,000 to 159,999,999	12,000
160,000,000 to 189,999,999	13,000
190,000,000 to 249,999,999	14,000
250,000,000 to 299,999,999	15,000
300,000,000 or more	16,000

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year ~~[relating to the operations of the coroner's office when approved by a professional association of the county coroners of Missouri]~~ **as established by the coroners standards and training commission** unless exempted from the training by the ~~[professional association]~~ **Missouri Coroners' and Medical Examiners' Association for good cause**. The ~~[professional association approving the program]~~ **Missouri Coroners' and Medical Examiners' Association** shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county **and the department of health and senior services**. **The coroner standards and training commission may certify training programs that satisfy the requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association, which, upon validating the certified training, shall submit the individual's name to the county treasurer and department of health and senior services indicating the individual is compliant with the training requirements.** Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

3. The county coroner in any county, other than a ~~[first classification]~~ charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of that county for the year beginning January 1, 1997. In those counties in which the salary commission has voted to pay one hundred percent of the maximum allowable salary, the compensation of the coroner shall be based on the maximum allowable salary in effect at each time a coroner's term of office commences following the vote to pay one hundred percent of the maximum allowable compensation. Subsequent compensation shall be determined as provided in section 50.333.

5. Effective January 1, 1997, the county coroner in any county, ~~[other than a county of the first classification with a charter form of government]~~ **charter county**, may, upon the approval of the county commission, receive additional compensation for any month during which investigations or other services are performed for three or more decedents in the same incident during such month. The additional compensation shall be an amount that when added to the regular compensation the sum shall equal the monthly compensation of the county sheriff.

**58.208. 1. One dollar of the fee collected for any death certificate issued under section 193.265 shall be deposited into the Missouri state coroners' training fund established under subsection 2 of this section. Moneys in such fund shall be used by the Missouri Coroners' and Medical Examiners' Association:**

**(1) For in-state training, equipment, and necessary supplies; and**

**(2) To provide aid to training programs approved by the Missouri Coroners' and Medical Examiners' Association.**

**2. (1) There is hereby created in the state treasury the "Missouri State Coroners' Training Fund", which shall consist of moneys collected under subsection 1 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of subsection 1 of this section.**

**(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund over the amount of five hundred thousand dollars shall revert to the credit of the general revenue fund.**

**(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**3. Local registrars may, during states of emergency or disaster, request reimbursement from the fund for copies of death certificates issued to individuals who are unable to afford the associated fees.";** and

Further amend said bill, Page 6, Section 58.720, Line 87, by inserting immediately after said section and line the following:

"193.145. 1. A certificate of death for each death which occurs in this state shall be filed with the local registrar, or as otherwise directed by the state registrar, within five days after death and shall be registered if such certificate has been completed and filed pursuant to this section. All data providers in the death registration process, including, but not limited to, the state registrar, local registrars, the state medical examiner, county medical examiners, coroners, funeral directors or persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, physician assistants, assistant physicians, advanced practice registered nurses, and the chief medical officers of licensed health care facilities, and other public or private institutions providing medical care, treatment, or confinement to persons, shall be required to use and utilize any electronic death registration system required and adopted under subsection 1 of section 193.265 within six months of the system being certified by the director of the department of health and senior services, or the director's designee, to be operational and available to all data providers in the death registration process. However, should the person or entity that certifies the cause of death not be part of, or does not use, the electronic death registration system, the funeral director or person acting as such may enter the required personal data into the electronic death registration system and then complete the filing by presenting the signed cause of death certification to the local registrar, in which case the local registrar shall issue death certificates as set out in subsection 2 of section 193.265. Nothing in this section shall prevent the state registrar from adopting pilot programs or voluntary electronic death registration programs until such time as the

system can be certified; however, no such pilot or voluntary electronic death registration program shall prevent the filing of a death certificate with the local registrar or the ability to obtain certified copies of death certificates under subsection 2 of section 193.265 until six months after such certification that the system is operational.

2. If the place of death is unknown but the dead body is found in this state, the certificate of death shall be completed and filed pursuant to the provisions of this section. The place where the body is found shall be shown as the place of death. The date of death shall be the date on which the remains were found.

3. When death occurs in a moving conveyance in the United States and the body is first removed from the conveyance in this state, the death shall be registered in this state and the place where the body is first removed shall be considered the place of death. When a death occurs on a moving conveyance while in international waters or air space or in a foreign country or its air space and the body is first removed from the conveyance in this state, the death shall be registered in this state but the certificate shall show the actual place of death if such place may be determined.

4. The funeral director or person in charge of final disposition of the dead body shall file the certificate of death. The funeral director or person in charge of the final disposition of the dead body shall obtain or verify and enter into the electronic death registration system:

(1) The personal data from the next of kin or the best qualified person or source available;

(2) The medical certification from the person responsible for such certification if designated to do so under subsection 5 of this section; and

(3) Any other information or data that may be required to be placed on a death certificate or entered into the electronic death certificate system including, but not limited to, the name and license number of the embalmer.

5. The medical certification shall be completed, attested to its accuracy either by signature or an electronic process approved by the department, and returned to the funeral director or person in charge of final disposition within seventy-two hours after death by the physician, physician assistant, assistant physician, **or** advanced practice registered nurse in charge of the patient's care for the illness or condition which resulted in death. In the absence of the physician, physician assistant, assistant physician, advanced practice registered nurse or with the physician's, physician assistant's, assistant physician's, or advanced practice registered nurse's approval the certificate may be completed and attested to its accuracy either by signature or an approved electronic process by the physician's associate physician, the chief medical officer of the institution in which death occurred, or the physician who performed an autopsy upon the decedent, provided such individual has access to the medical history of the case, views the deceased at or after death and death is due to natural causes. The person authorized to complete the medical certification may, in writing, designate any other person to enter the medical certification information into the electronic death registration system if the person authorized to complete the medical certificate has physically or by electronic process signed a statement stating the cause of death. Any persons completing the medical certification or entering data into the electronic death registration system shall be immune from civil liability for such certification completion, data entry, or determination of the cause of death, absent gross negligence or willful misconduct. The state registrar may approve alternate methods of obtaining and processing the medical certification and filing the death certificate. The Social Security number of any individual who has died shall be placed in the records relating to the death and recorded on the death certificate.

6. When death occurs from natural causes more than thirty-six hours after the decedent was last treated by a physician, physician assistant, assistant physician, advanced practice registered nurse, the case shall be referred to the county medical examiner or coroner or physician or local registrar for investigation to determine and certify the cause of death. If the death is determined to be of a natural cause, the medical examiner or coroner or local registrar shall refer the certificate of death to the attending physician, physician assistant, assistant physician, **or** advanced practice registered nurse for such certification. If the attending physician, physician assistant, assistant physician, **or** advanced practice registered nurse refuses or is otherwise unavailable, the medical examiner or coroner or local registrar shall attest to the accuracy of the certificate of death either by signature or an approved electronic process within thirty-six hours.

7. If the circumstances suggest that the death was caused by other than natural causes, the medical examiner or coroner shall determine the cause of death and shall ~~[complete and attest to the accuracy]~~, either by signature or an approved electronic process, **complete and attest to the accuracy of** the medical certification within seventy-two hours after taking charge of the case.

8. If the cause of death cannot be determined within seventy-two hours after death, the attending medical examiner, coroner, attending physician, physician assistant, assistant physician, advanced practice registered nurse, or local registrar shall give the funeral director, or person in charge of final disposition of the dead body, notice of

the reason for the delay, and final disposition of the body shall not be made until authorized by the medical examiner, coroner, attending physician, physician assistant, assistant physician, advanced practice registered nurse, or local registrar.

9. When a death is presumed to have occurred within this state but the body cannot be located, a death certificate may be prepared by the state registrar upon receipt of an order of a court of competent jurisdiction which shall include the finding of facts required to complete the death certificate. Such a death certificate shall be marked "Presumptive", show on its face the date of registration, and identify the court and the date of decree.

10. (1) The department of health and senior services shall notify all physicians, physician assistants, assistant physicians, and advanced practice registered nurses licensed under chapters 334 and 335 of the requirements regarding the use of the electronic vital records system provided for in this section.

(2) On or before August 30, 2015, the department of health and senior services, division of community and public health shall create a working group comprised of representation from the Missouri electronic vital records system users and recipients of death certificates used for professional purposes to evaluate the Missouri electronic vital records system, develop recommendations to improve the efficiency and usability of the system, and to report such findings and recommendations to the general assembly no later than January 1, 2016.

**11. Notwithstanding any provision of law, if a coroner or deputy coroner is not current with or is without the approved training required under chapter 58, the department of health and senior services shall prohibit such coroner from attesting to the accuracy of a certificate of death. No person elected or appointed to an office of coroner can assume such elected office until the training requirements, as established by the coroner standards and training commission under the provisions of chapter 58, have been completed and a certificate of completion has been issued. In the event a coroner cannot fulfill his or her duties or is no longer qualified to attest to the accuracy of a death certificate, the sheriff of the county shall appoint a medical professional to attest death certificates until such time as the coroner can resume his or her duties or another coroner is appointed or elected to the office.**

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of ~~thirteen~~ **fourteen** dollars for the first certification or copy and a fee of ~~ten~~ **eleven** dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. All fees **under this subsection** shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, **one dollar for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208**, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public services health fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering sections 214.270 to 214.410. All interest earned on money deposited in the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed care cemetery audit fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The money deposited in the public health services fund under this section shall be deposited in a separate account in the fund, and moneys in such account, upon appropriation, shall be used to automate and improve the state vital records system, and develop and maintain an electronic birth and death registration system. For any search of the files and records, when no record is found, the state shall be entitled to a fee equal to the amount for a certification of a vital record for a five-year search to be paid by the applicant. For the processing of each legitimation, adoption, court order or recording after the registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy or copies of a vital record is required to perfect any claim of any person on relief, or any dependent of any person who was on relief for any claim upon the government of the state or United States, the state registrar shall, upon request, furnish a certified copy or so many certified copies as are necessary, without any fee or compensation therefor.

2. For the issuance of a certification of a death record by the local registrar, the applicant shall pay a fee of ~~thirteen~~ **fourteen** dollars for the first certification or copy and a fee of ~~ten~~ **eleven** dollars for each additional copy ordered at that time. **For each fee collected under this subsection, one dollar shall be deposited to the state department of revenue and the remainder shall be deposited to the official city or county health agency. The director of revenue shall credit all fees deposited to the state department of revenue under this subsection to the Missouri state coroners' training fund established in section 58.208.**



3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a donation of one dollar may be collected by the local registrar over and above any fees required by law when a certification or copy of any marriage license or birth certificate is provided, with such donations collected to be forwarded monthly by the local registrar to the county treasurer of such county and the donations so forwarded to be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in such county. The local registrar shall include a check-off box on the application form for such copies. All fees **collected under this subsection**, other than the donations collected in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official city or county health agency.

4. A certified copy of a death record by the local registrar can only be issued within twenty-four hours of receipt of the record by the local registrar. Computer-generated certifications of death records may be issued by the local registrar after twenty-four hours of receipt of the records. The fees paid to the official county health agency shall be retained by the local agency for local public health purposes."; and

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

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

On motion of Representative Neely, **HCS HB 242, as amended**, was adopted.

On motion of Representative Neely, **HCS HB 242, as amended**, was ordered perfected and printed.

**HB 70**, relating to the offense of possession of unlawful items in a prison or jail, was taken up by Representative Dinkins.

On motion of Representative Dinkins, the title of **HB 70** was agreed to.

Representative Ellington moved that **HB 70** be recommitted to the Committee on Corrections and Public Institutions.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allred	Anderson	Andrews	Bailey	Baker
Basye	Black 137	Black 7	Bromley	Busick
Christofanelli	Coleman 97	Deaton	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Francis	Gannon
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurst	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeyer	Lovasco	Love	Lynch
Mayhew	McGaugh	McGirt	Messenger	Miller

Moon	Morris 140	Morse 151	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pietzman
Pike	Plocher	Pogue	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roeber	Rone
Ross	Ruth	Schnelting	Sharpe	Shaul 113
Shawan	Shields	Shull 16	Simmons	Smith
Solon	Sommer	Spencer	Stephens 128	Swan
Taylor	Trent	Veit	Vescovo	Walsh
Wiemann	Wood	Wright	Mr. Speaker	

NOES: 039

Appelbaum	Bangert	Baringer	Barnes	Beck
Bosley	Brown 27	Brown 70	Burnett	Burns
Carpenter	Carter	Clemens	Ellebracht	Ellington
Gray	Ingle	Kendrick	Lavender	McCreery
Merideth	Mitten	Morgan	Mosley	Pierson Jr.
Price	Proudie	Quade	Razer	Roberts 77
Rogers	Rowland	Runions	Sain	Sauls
Stevens 46	Unsicker	Washington	Windham	

PRESENT: 000

ABSENT WITH LEAVE: 018

Billington	Bland Manlove	Bondon	Butz	Chappelle-Nadal
Chipman	Coleman 32	Franks Jr.	Green	Mackey
McDaniel	McGee	Roden	Schroer	Stacy
Tate	Walker	Wilson		

VACANCIES: 002

Representative Ellington again moved that **HB 70** be recommitted to the Committee on Corrections and Public Institutions.

Which motion was defeated.

On motion of Representative Dinkins, **HB 70** was ordered perfected and printed.

**HCS HB 354**, relating to the financial protection of vulnerable populations, was placed on the Informal Calendar.

**HB 461**, relating to the disposition of human remains, was taken up by Representative Pfautsch.

On motion of Representative Pfautsch, the title of **HB 461** was agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 461, Page 1, Section A, Line 3, by inserting after said section and line the following:

"36.020. Unless the context clearly requires otherwise, the following terms mean:

- (1) "Agency", "state agency" or "agency of the state", each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;
- (2) "Appointing authority", an officer or agency subject to this chapter having power to make appointments;
- (3) "Board", the personnel advisory board as established by section 36.050;
- (4) "Broad classification band", a grouping of positions with similar levels of responsibility or expertise;
- (5) "Class", "class of positions", or "job class", a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;
- (6) "Director", the director of the division of personnel of the office of administration;
- (7) "Disabled veteran", a veteran who has served on active duty in the Armed Forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran's affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a National Guard veteran who was permanently disabled as a result of active service to the state at the call of the governor;
- (8) "Division of service" or "division", a state department or any division or branch of the state, or any agency of the state government, all the positions and employees in which are under the same appointing authority;
- (9) "Eleemosynary or penal institutions", an institution within state government holding, housing, or caring for inmates, patients, veterans, juveniles, or other individuals entrusted to or assigned to the state where it is anticipated that such individuals will be in residence for longer than one day. Eleemosynary or penal institutions shall not include elementary, secondary, or higher education institutions operated separately or independently from the foregoing institutions;
- (10) "Eligible", a person whose name is on a register or who has been determined to meet the qualifications for a class or position;
- (11) "Employee", shall include only those persons employed in excess of thirty-two hours per calendar week, for a duration that could exceed six months, by a state agency and shall not include patients, inmates, or residents in state eleemosynary or penal institutions who work for the state agency operating an eleemosynary or penal institutions;
- (12) "Examination" or "competitive examination", a means of determining eligibility or fitness for a class or position;
- (13) "Open competitive examination", a selection process for positions in a particular class, admission to which is not limited to persons employed in positions subject to this chapter pursuant to subsection 1 of section 36.030;
- (14) "Promotional examination", a selection process for positions in a particular class, admission to which is limited to employees with regular status in positions subject to this chapter pursuant to subsection 1 of section 36.030;
- (15) "Register of eligibles", a list, which may be restricted by locality, of persons who have been found qualified for appointment to a position subject to this chapter pursuant to subsection 1 of section 36.030;
- (16) "Regular employee", a person employed in a position described under subdivision (2) of subsection 1 of section 36.030 who has successfully completed a probationary period as provided in section 36.250;
- (17) "State equal employment opportunity officer", the individual designated by the governor or the commissioner of administration as having responsibility for monitoring the compliance of the state as an employer with applicable equal employment opportunity law and regulation and for leadership in efforts to establish a state workforce which reflects the diversity of Missouri citizens at all levels of employment;
- (18) "Surviving spouse", the unmarried surviving spouse of a deceased disabled veteran or the unmarried ~~survivor's~~ **surviving** spouse of any person who was killed while on active duty in the Armed Forces of the United States or an unmarried surviving spouse of a National Guard veteran who was killed as a result of active service to the state at the call of the governor;
- (19) "Veteran", any person who is a citizen of this state who has been separated under honorable conditions from the Armed Forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or National Guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President and participated in any campaign or expedition for which a campaign badge or service medal has been authorized."; and

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

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

On motion of Representative Pfautsch, **HB 461, as amended**, was ordered perfected and printed.

### REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

**HR 587** - Consent and House Procedure

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 126**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Bailey, Gannon, Moon, Neely, Pietzman, Rehder, Remole, Solon and Stacy

Noes (4): Ingle, Mackey, Proudie and Unsicker

Absent (0)

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 487**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (11): Bailey, Gannon, Ingle, Mackey, Neely, Pietzman, Proudie, Rehder, Remole, Solon and Unsicker

Noes (2): Moon and Stacy

Absent (0)

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 680** and **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Bailey, Gannon, Moon, Neely, Pietzman, Rehder, Remole, Solon and Stacy

Noes (4): Ingle, Mackey, Proudie and Unsicker

Absent (0)

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

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 730**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (8): Griffith, Hill, Hovis, Ingle, McDaniel, Richey, Walsh and Wilson

Noes (0)

Absent (2): Carter and Franks Jr.

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

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (6): Baker, Haden, Lovasco, Pietzman, Stacy and Taylor

Noes (2): Baringer and Runions

Absent (2): Pogue and Price

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

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 761**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Barnes, Falkner III, Gray, Hannegan, Hudson, McGirl, Reedy, Solon, Wilson and Windham

Noes (0)

Absent (3): Fishel, McGaugh and Runions

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 821**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Barnes, Falkner III, Gray, Hannegan, Hudson, McGirl, Reedy, Solon, Wilson and Windham

Noes (0)

Absent (3): Fishel, McGaugh and Runions

**Committee on Pensions**, Chairman Pike reporting:

Mr. Speaker: Your Committee on Pensions, to which was referred **HB 723**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (8): Black (7), Brown (27), Clemens, Hovis, McGirl, O'Donnell, Pike and Ruth

Noes (0)

Absent (2): Chappelle-Nadal and Pogue

**Committee on Consent and House Procedure**, Chairman Pfautsch reporting:

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 207**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Appelbaum, Bondon, Carter, Deaton, Love, Mackey, Pfautsch, Richey, Schroer, Stevens (46) and Veit

Noes (0)

Absent (3): Dohrman, Pike and Stephens (128)

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 353**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Appelbaum, Bondon, Carter, Deaton, Love, Mackey, Pfautsch, Richey, Schroer, Stevens (46) and Veit

Noes (0)

Absent (3): Dohrman, Pike and Stephens (128)

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 552**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Appelbaum, Bondon, Carter, Deaton, Love, Mackey, Pfautsch, Richey, Schroer, Stevens (46) and Veit

Noes (0)

Absent (3): Dohrman, Pike and Stephens (128)

**Committee on Rules - Legislative Oversight**, Chairman Miller reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller and Sommer

Noes (3): Runions, Unsicker and Washington

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 219**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 333**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 438**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 469**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HBs 743 & 673**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Chipman, Christofanelli, Fitzwater, Houx, Miller, Runions, Sommer, Unsicker and Washington

Noes (0)

Absent (0)

The following members' presence was noted: Billington, Bland Manlove, and Walker.

### **ADJOURNMENT**

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Wednesday, February 20, 2019.

### **COMMITTEE HEARINGS**

#### **AGRICULTURE POLICY**

Wednesday, February 20, 2019, 12:00 PM, House Hearing Room 7.

Executive session will be held: HB 107, HB 270, HB 559, HB 587

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

#### **BUDGET**

Thursday, February 21, 2019, 8:15 AM, House Hearing Room 3.

Public hearing will be held: HB 423, HB 682

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

#### **ELECTIONS AND ELECTED OFFICIALS**

Wednesday, February 20, 2019, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 922

Executive session will be held: HB 26, HB 269

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

Removed HB 922 from executive session.

#### **AMENDED**

#### **ETHICS**

Wednesday, February 20, 2019, 12:00 PM, House Hearing Room 4.

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

Portions of this meeting may be closed under the authority of Article III, Section 18 of the Missouri Constitution, House Rule 37, House Resolution 137, and RSMo 610.021 (3).



#### FINANCIAL INSTITUTIONS

Thursday, February 21, 2019, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 757, HB 215

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

#### GENERAL LAWS

Wednesday, February 20, 2019, 6:00 PM, House Hearing Room 1.

Public hearing will be held: HB 580, HB 829, HB 626, HB 686, HB 765

Executive session will be held: HB 612

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

Added HB 580. Informational presentation from the Deputy Director of the Missouri Gaming Commission, Tim McGrail.

#### AMENDED

#### HEALTH AND MENTAL HEALTH POLICY

Monday, February 25, 2019, 12:00 PM, House Hearing Room 7.

Public hearing will be held: HB 654, HB 492

Executive session will be held: HB 450

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

Guest speaker: Dr. Williams (Director of Health and Senior Services).

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Monday, March 4, 2019, 1:00 PM, House Hearing Room 4.

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

First quarter meeting.

Presentation of 2019 Annual Report.

#### SPECIAL COMMITTEE ON AGING

Wednesday, February 20, 2019, 6:00 PM, House Hearing Room 6.

Public hearing will be held: HB 675

Executive session will be held: HB 317, HB 337, HB 466

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

#### SPECIAL COMMITTEE ON CAREER READINESS

Wednesday, February 20, 2019, 12:00 PM, House Hearing Room 6.

Public hearing will be held: HB 221

Executive session will be held: HB 592, HCR 18

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

#### SPECIAL COMMITTEE ON CRIMINAL JUSTICE

Thursday, February 21, 2019, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 80, HB 195

Executive session will be held: HB 444

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

**SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT**

Wednesday, February 20, 2019, 12:30 PM or upon adjournment (whichever is later),  
House Hearing Room 5.

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

Continuing discussion with Department of Revenue.

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Wednesday, February 20, 2019, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 272, HB 278

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

**SPECIAL COMMITTEE ON TOURISM**

Thursday, February 21, 2019, 8:00 AM, House Hearing Room 6.

Executive session will be held: HB 266

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

The Missouri Division of Tourism will present their annual report upon conclusion of executive session.

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, February 27, 2019, 6:00 PM or upon adjournment (whichever is later),  
House Hearing Room 7.

Public hearing will be held: HB 96, HB 168, HB 297, HB 692

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

**SUBCOMMITTEE ON APPROPRIATIONS - AGRICULTURE, CONSERVATION,  
NATURAL RESOURCES, AND ECONOMIC DEVELOPMENT**

Wednesday, February 20, 2019, 8:15 AM, House Hearing Room 3.

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

Appropriation Subcommittee Markup

**SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Wednesday, February 20, 2019, 2:00 PM, House Hearing Room 3.

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

Appropriation Subcommittee Markup

**SUBCOMMITTEE ON APPROPRIATIONS - PUBLIC SAFETY, CORRECTIONS,  
TRANSPORTATION AND REVENUE**

Wednesday, February 20, 2019, 2:00 PM, House Hearing Room 5.

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

Appropriation Subcommittee Markup

**SUBCOMMITTEE ON INTERNET TAXATION**

Wednesday, February 20, 2019, 8:00 AM, House Hearing Room 5.

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

Changed time to 8:00 AM.

Discussion on internet sales tax and the Wayfair decision.

CORRECTED

**TRANSPORTATION**

Thursday, February 21, 2019, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HCR 26, HB 926

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

Removed HJR 17 and added HB 926.

AMENDED

**VETERANS**

Wednesday, February 20, 2019, 12:00 PM, House Hearing Room 1.

Public hearing will be held: HB 810

Executive session will be held: HB 715, HCR 9, HCR 16

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

**HOUSE CALENDAR**

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 20, 2019

**HOUSE BILLS FOR SECOND READING**

HB 978 through HB 999

**HOUSE BILLS FOR PERFECTION**

HCS HB 239 - Schroer

HCS HB 207 - Kelley (127)

HB 441 - Fitzwater

HB 138 - Kidd

HCS HB 451 - Eggleston

HCS HB 352 - Hannegan

HCS HBs 743 & 673 - Fishel

HCS HB 678 - Patterson

HB 219 - Wood

HCS HB 469 - Grier

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 354 - Plocher

**HOUSE BILLS FOR THIRD READING**

HCS HB 324 - Henderson

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS HB 225, (Fiscal Review 2/13/19) - Swan

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 2001 - Smith  
CCS SCS HCS HB 2002 - Smith  
CCS SCS HCS HB 2003 - Smith  
CCS SCS HCS HB 2004 - Smith  
CCS SCS HCS HB 2005 - Smith  
CCS SCS HCS HB 2006 - Smith  
CCS SCS HCS HB 2007 - Smith  
CCS SCS HCS HB 2008 - Smith  
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CCS SCS HCS HB 2011 - Smith  
CCS SCS HCS HB 2012 - Smith  
SCS HCS HB 2013 - Smith  
HCS HB 2017 - Smith  
HCS HB 2018 - Smith  
HCS HB 2019 - Smith