

JOURNAL OF THE HOUSE

First Regular Session, 100th GENERAL ASSEMBLY

FORTY-FOURTH DAY, MONDAY, APRIL 1, 2019

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Representative Mike Moon.

Almighty God, and most merciful father, who didst command the children of Israel to offer a daily sacrifice to Thee, that thereby they might glorify and praise Thee for Thy protection both night and day, receive, O Lord, my morning sacrifice which I now offer up to Thee; I yield Thee humble and hearty thanks that Thou has preserved me from the danger of the night past, and brought me to the light of the day, and the comforts thereof, a day which is consecrated to Thine own service and for Thine own honor.

Let my heart, therefore, Gracious God, be so affected with the glory and majesty of it, that I may not do mine own works, but wait on Thee, and discharge those weighty duties thou requirest of me, and since Thou art a God of pure eyes, and wilt be sanctified in all who draw near unto Thee, who doest not regard the sacrifice of fools, nor hear sinners who tread in Thy courts, pardon, I beseech Thee, my sins, remove them from Thy presence, as far as the east is from the west, and accept of me for the merits of Thy son Jesus Christ, that when I come into Thy temple, and compass Thine altar, my prayers may come before Thee as incense; and as Thou wouldst hear me calling upon Thee in my prayers, so give me grace to hear Thee calling on me in Thy word, that it may be wisdom, righteousness, reconciliation and peace to the saving of the soul in the day of the Lord Jesus.

Grant that I may hear it with reverence, receive it with meekness, mingle it with faith, and that it may accomplish in me, Gracious God, the good work for which Thou has sent it. Bless my family, kindred, friends and country; be our God and guide this day and forever for His sake, who lay down in the grave and arose again for us, Jesus Christ, our Lord.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-third day was approved as printed by the following vote:

AYES: 138

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Bosley	Bromley
Brown 27	Brown 70	Burnett	Burns	Busick
Butz	Carter	Chipman	Christofanelli	Clemens
Coleman 32	Coleman 97	Deaton	DeGroot	Dinkins
Dohrman	Eggleston	Ellebracht	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Gannon	Green
Gregory	Grier	Griesheimer	Griffith	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurst

Ingle	Justus	Kelley 127	Kelly 141	Kendrick
Knight	Kolkmeyer	Lavender	Lovasco	Lynch
Mackey	Mayhew	McCreery	McDaniel	McGaugh
McGee	McGill	Merideth	Messenger	Miller
Mitten	Moon	Morgan	Morris 140	Mosley
Muntzel	Murphy	Neely	O'Donnell	Patterson
Pfautsch	Pierson Jr.	Pietzman	Pike	Plocher
Pogue	Pollitt 52	Pollock 123	Porter	Proudie
Quade	Razer	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rogers	Ross	Runions	Ruth	Sain
Sauls	Schnelting	Schroer	Shaul 113	Shawan
Shields	Simmons	Smith	Solon	Sommer
Spencer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Wood	Wright	Mr. Speaker		

NOES: 001

Rowland

PRESENT: 002

Chappelle-Nadal Windham

ABSENT WITH LEAVE: 020

Black 7	Bland Manlove	Bondon	Carpenter	Dogan
Ellington	Francis	Franks Jr.	Gray	Haden
Kidd	Love	Morse 151	Price	Reedy
Roeber	Rone	Sharpe	Shull 16	Stephens 128

VACANCIES: 002

HOUSE RESOLUTIONS

Representative Kelley (127) offered House Resolution No. 1321.

SECOND READING OF HOUSE COMMITTEE BILLS

The following House Committee Bills were read the second time:

HCB 1, relating to the conveyance of certain state property.

HCB 2, relating to criminal justice, with penalty provisions.

HCB 3, relating to state holiday designations.

HCB 5, relating to the designation of memorial highways.

SECOND READING OF SENATE JOINT RESOLUTIONS

The following Senate Joint Resolution was read the second time:

SS SCS SJR 2, relating to the impeachment process.

SECOND READING OF SENATE BILLS

The following Senate Bills were read the second time:

SS SCS SB 9, relating to the impeachment process, with a contingent effective date.

SB 138, relating to reports issued by the state auditor.

SB 185, relating to employer eligibility in the Missouri State Employees' Retirement System.

SS SB 213, relating to the nonpartisan state demographer, with penalty provisions.

SB 228, relating to methods of service of notice under employment security laws.

SB 264, relating to the state council on the arts.

SB 275, relating to prescribing authority of dentists.

SB 358, relating to the health professional student loan repayment program.

SB 368, relating to vehicle dealer license plates.

SB 371, relating to trailer license plate renewals.

SB 397, relating to the petition process for the creation of a museum and cultural district.

SB 468, relating to bonds for county recorders of deeds.

THIRD READING OF HOUSE BILLS - INFORMAL

HCS HB 400, relating to the Missouri returning heroes education act, was placed back on the House Bills for Third Reading Calendar.

HCS HB 456, relating to a high school diploma endorsement in STEM, was taken up by Representative Neely.

On motion of Representative Neely, **HCS HB 456** was read the third time and passed by the following vote:

AYES: 144

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burns
Busick	Butz	Carpenter	Carter	Chappelle-Nadal
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Green
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Ingle	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Lavender	Lovasco
Lynch	Mackey	Mayhew	McCreery	McGaugh
McGee	McGill	Merideth	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Murphy	Neely	O'Donnell	Patterson
Pfautsch	Pierson Jr.	Pietzman	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Proudie	Quade
Razer	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rogers	Ross	Rowland	Runions	Ruth
Sain	Sauls	Schnelting	Sharpe	Shaul 113
Shawan	Shields	Smith	Solon	Sommer
Spencer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 005

Hurst	McDaniel	Moon	Pogue	Simmons
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bland Manlove	Burnett	Ellington	Franks Jr.	Gray
Love	Price	Roeber	Rone	Schroer
Shull 16	Stephens 128			

VACANCIES: 002

Speaker Haahr declared the bill passed.

THIRD READING OF HOUSE BILLS - REVISION

HRB 1, for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, was taken up by Representative Shaul (113).

Representative Quade offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Revision Bill No. 1, Page 36, Section 337.712, Line 32, by deleting the word, "REFERENCES" and inserting in lieu thereof the word, "REFERENCES"; and

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

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

On motion of Representative Shaul (113), **HRB 1, as amended**, was read the third time and passed by the following vote:

AYES: 119

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bondon
Bromley	Brown 27	Busick	Chipman	Christofanelli
Coleman 32	Coleman 97	Deaton	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Eslinger
Evans	Falkner III	Fishel	Fitzwater	Francis
Gannon	Green	Gregory	Grier	Griesheimer
Griffith	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeyer
Lovasco	Lynch	Mayhew	McGaugh	McGee
McGirl	Messenger	Miller	Moon	Morris 140
Morse 151	Mosley	Muntzel	Murphy	Neely
O'Donnell	Patterson	Pfautsch	Pierson Jr.	Pietzman
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Proudie	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roden	Rone
Ross	Rowland	Runions	Ruth	Sauls
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Simmons	Solon	Sommer	Spencer
Stacy	Swan	Tate	Taylor	Trent
Veit	Vescovo	Walsh	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 032

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Brown 70	Burns	Butz	Carpenter
Carter	Chappelle-Nadal	Clemens	Ingle	Lavender
Mackey	McCreery	McDaniel	Merideth	Mitten
Morgan	Pogue	Price	Quade	Razer
Roberts 77	Rogers	Sain	Stevens 46	Unsicker
Walker	Washington			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bosley	Burnett	Ellington	Franks Jr.	Gray
Love	Roerber	Shull 16	Smith	Stephens 128

VACANCIES: 002

Speaker Haahr declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 278, relating to employment security, was taken up by Representative Andrews.

On motion of Representative Andrews, **HB 278** was read the third time and passed by the following vote:

AYES: 149

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bromley	Brown 27	Brown 70	Burnett	Burns
Busick	Butz	Carpenter	Carter	Chappelle-Nadal
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Green
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurst	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeyer	Lavender	Lovasco
Lynch	Mackey	Mayhew	McCreery	McGaugh
McGee	McGill	Merideth	Messenger	Miller
Mitten	Moon	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Murphy	Neely	O'Donnell
Patterson	Pfautsch	Pierson Jr.	Pietzman	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Price
Proudie	Quade	Razer	Reedy	Rehder
Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rogers	Rone	Ross
Rowland	Runions	Ruth	Sain	Sauls
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Simmons	Solon	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 002

McDaniel Pogue

PRESENT: 000

ABSENT WITH LEAVE: 010

Bailey	Bosley	Ellington	Franks Jr.	Gray
Ingle	Love	Roeber	Shull 16	Smith

VACANCIES: 002

Speaker Haahr declared the bill passed.

HCS HB 473, relating to regulations by local governments, was placed on the Informal Calendar.

HCS HB 604, relating to elementary and secondary education, was taken up by Representative Henderson.

On motion of Representative Henderson, **HCS HB 604** was read the third time and passed by the following vote:

AYES: 150

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Chipman
Christofanelli	Clemens	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Eslinger	Evans	Falkner III	Fishel
Fitzwater	Francis	Gannon	Green	Gregory
Grier	Griesheimer	Griffith	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Ingle
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Lavender	Lovasco	Love
Lynch	Mackey	Mayhew	McCreery	McDaniel
McGaugh	McGee	McGill	Merideth	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Murphy	Neely	O'Donnell
Patterson	Pfautsch	Pierson Jr.	Pietzman	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Price
Proudie	Quade	Razer	Reedy	Rehder
Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rogers	Rone	Ross
Rowland	Runions	Ruth	Sain	Sauls
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Simmons	Smith	Solon	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walker	Walsh	Washington	Wiemann
Wilson	Windham	Wood	Wright	Mr. Speaker

NOES: 004

Chappelle-Nadal	Hurst	Moon	Pogue
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PRESENT: 001

Carter

ABSENT WITH LEAVE: 006

Bailey	Ellington	Franks Jr.	Gray	Roeber
Shull 16				

VACANCIES: 002

Speaker Haahr declared the bill passed.

HCS HB 1088, relating to the office of administration, was placed on the Informal Calendar.

HCS HBs 26 & 922, relating to political party primary elections, was placed on the Informal Calendar.

HCS HB 762, relating to the Missouri municipal government expenditure database, was placed on the Informal Calendar.

HB 1029, relating to the state treasurer, was placed on the Informal Calendar.

HCS HB 703, relating to a tax refund donation, was taken up by Representative Richey.

On motion of Representative Richey, **HCS HB 703** was read the third time and passed by the following vote:

AYES: 149

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bosley	Bromley	Brown 27	Brown 70
Burnett	Burns	Busick	Butz	Carpenter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Green
Gregory	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Ingle	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Lavender	Lovasco
Love	Lynch	Mackey	Mayhew	McCreery
McGaugh	McGee	McGill	Merideth	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Murphy	Neely	O'Donnell
Patterson	Pfautsch	Pierson Jr.	Pietzman	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Price
Proudie	Quade	Razer	Reedy	Rehder
Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rogers	Rone	Ross
Rowland	Runions	Ruth	Sain	Sauls
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Simmons	Smith	Solon	Sommer
Spencer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 004

Hurst	McDaniel	Moon	Pogue
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PRESENT: 002

Carter Chappelle-Nadal

ABSENT WITH LEAVE: 006

Ellington Franks Jr. Gray Roeber Shull 16
Stephens 128

VACANCIES: 002

Speaker Haahr declared the bill passed.

HB 124, relating to the law library surcharge, was taken up by Representative DeGroot.

On motion of Representative DeGroot, **HB 124** was read the third time and passed by the following vote:

AYES: 109

Allred	Anderson	Andrews	Bailey	Baker
Basye	Billington	Black 137	Black 7	Bromley
Carter	Chappelle-Nadal	Christofanelli	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Gregory
Grier	Griesheimer	Griffith	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Justus
Kelley 127	Kelly 141	Knight	Kolkmeyer	Lovasco
Love	Lynch	Mackey	Mayhew	McCreery
McDaniel	McGaugh	McGee	McGill	Messenger
Miller	Morris 140	Morse 151	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pietzman
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Toalson Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Runions	Ruth	Sauls	Schnelting
Schroer	Sharpe	Shaul 113	Shawan	Shields
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Veit	Vescovo	Walsh	Wiemann
Wilson	Wood	Wright	Mr. Speaker	

NOES: 043

Appelbaum	Bangert	Baringer	Beck	Bland Manlove
Bondon	Bosley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Chipman
Clemens	Green	Hurst	Ingle	Kendrick
Kidd	Lavender	Merideth	Mitten	Moon
Morgan	Mosley	Pierson Jr.	Pogue	Price
Proudie	Quade	Razer	Reedy	Rehder
Rogers	Ross	Rowland	Sain	Stevens 46
Unsicker	Walker	Washington		

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PRESENT: 003

Barnes Roden Windham

ABSENT WITH LEAVE: 006

Ellington Franks Jr. Gray Roeber Rone
Shull 16

VACANCIES: 002

Speaker Haahr declared the bill passed.

HCS#2 HB 462, relating to certified teacher externships, was taken up by Representative Shields.

On motion of Representative Shields, **HCS#2 HB 462** was read the third time and passed by the following vote:

AYES: 152

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chappelle-Nadal	Chipman	Christofanelli	Clemens	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Francis	Gannon
Green	Gregory	Grier	Griesheimer	Griffith
Haden	Haffner	Hannegan	Hansen	Helms
Henderson	Hicks	Hill	Houx	Hovis
Hudson	Ingle	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lavender
Lovasco	Love	Lynch	Mackey	Mayhew
McCreery	McDaniel	McGaugh	McGee	McGill
Merideth	Messenger	Miller	Mitten	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pierson Jr.
Pietzman	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Price	Proudie	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roberts 77	Roden	Rogers
Rone	Ross	Rowland	Runions	Ruth
Sain	Sauls	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Veit	Vescovo	Walker	Walsh
Washington	Wiemann	Wilson	Windham	Wood
Wright	Mr. Speaker			

NOES: 004

Bailey Hurst Moon Pogue

PRESENT: 000

ABSENT WITH LEAVE: 005

Ellington Franks Jr. Gray Roeber Shull 16

VACANCIES: 002

Speaker Haahr declared the bill passed.

HB 973, relating to the nonpartisan state demographer, was taken up by Representative Trent.

On motion of Representative Trent, **HB 973** was read the third time and passed by the following vote:

AYES: 148

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chappelle-Nadal	Chipman	Christofanelli	Clemens	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Francis	Gannon
Gray	Green	Gregory	Grier	Griesheimer
Griffith	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Ingle	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Kolkmeyer	Lavender
Lovasco	Love	Lynch	Mackey	Mayhew
McCreery	McDaniel	McGaugh	McGee	McGill
Merideth	Messenger	Miller	Mitten	Moon
Morgan	Morse 151	Mosley	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pierson Jr.
Pietzman	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Price	Proudie	Quade	Razer
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Roberts 77	Roden	Rogers
Ross	Rowland	Runions	Ruth	Sain
Sauls	Schnelting	Schroer	Sharpe	Shaul 113
Shawan	Shields	Simmons	Solon	Sommer
Spencer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Mr. Speaker		

NOES: 002

Hurst Pogue

PRESENT: 000

ABSENT WITH LEAVE: 011

Bailey	Ellington	Franks Jr.	Knight	Morris 140
Roeber	Rone	Shull 16	Smith	Stephens 128
Wright				

VACANCIES: 002

Speaker Haahr declared the bill passed.

HCS HB 959, relating to the motor vehicle franchise practices act, was taken up by Representative Plocher.

On motion of Representative Plocher, **HCS HB 959** was read the third time and passed by the following vote:

AYES: 151

Allred	Anderson	Andrews	Appelbaum	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bland Manlove	Bondon
Bosley	Bromley	Brown 27	Brown 70	Burnett
Burns	Busick	Butz	Carpenter	Carter
Chappelle-Nadal	Chipman	Christofanelli	Clemens	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Eslinger	Evans
Falkner III	Fishel	Fitzwater	Francis	Gannon
Gray	Green	Gregory	Grier	Griesheimer
Griffith	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Lavender	Lovasco	Love	Lynch
Mackey	Mayhew	McCreery	McGaugh	McGee
McGill	Merideth	Messenger	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Murphy	Neely	O'Donnell	Patterson	Pfausch
Pierson Jr.	Pietzman	Pike	Plocher	Pollitt 52
Pollock 123	Porter	Price	Proudie	Quade
Razer	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roberts 77	Roden
Rogers	Rone	Ross	Rowland	Runions
Ruth	Sain	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Simmons	Smith
Solon	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Veit	Vescovo	Walker	Walsh
Washington	Wiemann	Wilson	Windham	Wood
Mr. Speaker				

NOES: 003

McDaniel	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 007

Bailey	Ellington	Franks Jr.	Roeber	Sauls
Shull 16	Wright			

VACANCIES: 002

Speaker Haahr declared the bill passed.

HB 355, relating to the public service commission, was taken up by Representative Plocher.

On motion of Representative Plocher, **HB 355** was read the third time and passed by the following vote:

AYES: 154

Allred	Anderson	Andrews	Appelbaum	Bailey
Baker	Bangert	Baringer	Barnes	Basye
Beck	Billington	Black 137	Black 7	Bland Manlove
Bondon	Bosley	Bromley	Brown 27	Brown 70
Burnett	Burns	Busick	Butz	Carpenter
Carter	Chappelle-Nadal	Chipman	Christofanelli	Clemens
Coleman 32	Coleman 97	Deaton	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Eslinger
Evans	Falkner III	Fishel	Fitzwater	Francis
Gannon	Gray	Green	Gregory	Grier
Griesheimer	Griffith	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Lavender	Lovasco	Love	Lynch
Mackey	Mayhew	McCreery	McGaugh	McGee
McGill	Merideth	Messenger	Miller	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Murphy	Neely	O'Donnell	Patterson
Pfautsch	Pierson Jr.	Pietzman	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Price	Proudie
Quade	Razer	Reedy	Rehder	Toalson Reisch
Remole	Richey	Riggs	Roberts 161	Roberts 77
Roden	Rogers	Rone	Ross	Rowland
Runions	Ruth	Sain	Sauls	Schnelting
Schroer	Sharpe	Shaul 113	Shawan	Shields
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo
Walker	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Mr. Speaker	

NOES: 002

McDaniel	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 005

Ellington

Franks Jr.

Haden

Roeber

Shull 16

VACANCIES: 002

Speaker Haahr declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 189, relating to activities extended to persons found guilty of certain criminal offenses, was taken up by Representative Toalson Reisch.

On motion of Representative Toalson Reisch, the title of **HCS HB 189** was agreed to.

Representative Toalson Reisch offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 189, Page 4, Section 311.660, Line 31, by inserting immediately after the word "**liquor**" the words "**within the scope of their employment**"; and

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

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

Representative Roberts (161) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 189, Page 1, Section A, Line 3, by inserting after said section and line the following:

"217.930. 1. (1) Medical assistance under MO HealthNet shall be suspended, rather than cancelled or terminated, for a person who is an offender in a correctional center if:

(a) The department of social services is notified of the person's entry into the correctional center;

(b) On the date of entry, the person was enrolled in the MO HealthNet program; and

(c) The person is eligible for MO HealthNet except for institutional status.

(2) A suspension under this subsection shall end on the date the person is no longer an offender in a correctional center.

(3) Upon release from incarceration, such person shall continue to be eligible for receipt of MO HealthNet benefits until such time as the person is otherwise determined to no longer be eligible for the program.

2. The department of corrections shall notify the department of social services:

(1) Within twenty days after receiving information that a person receiving benefits under MO HealthNet is or will be an offender in a correctional center; and

(2) Within forty-five days prior to the release of a person who is qualified for suspension under subsection 1 of this section.

221.125. 1. (1) Medical assistance under MO HealthNet shall be suspended, rather than cancelled or terminated, for a person who is an offender in a county jail, a city jail, or a private jail if:

(a) The department of social services is notified of the person's entry into the jail;

(b) On the date of entry, the person was enrolled in the MO HealthNet program; and

(c) The person is eligible for MO HealthNet except for institutional status.

(2) A suspension under this subsection shall end on the date the person is no longer an offender in a jail.

(3) Upon release from incarceration, such person shall continue to be eligible for receipt of MO HealthNet benefits until such time as the person is otherwise determined to no longer be eligible for the program.

2. City, county, and private jails shall notify the department of social services within ten days after receiving information that a person receiving medical assistance under MO HealthNet is or will be an offender in the jail."; and

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

Speaker Pro Tem Wiemann assumed the Chair.

On motion of Representative Roberts (161), **House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 189, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"43.508. 1. Except as provided in subsection 2 of this section and notwithstanding any other provision of law, prior to the dissemination of criminal history information to a noncriminal justice agency, all information relating to a conviction, and the arrest, indictment, or other information leading thereto, that is the subject of a court order for limited access as provided in section 610.078 or all information relating to a conviction or nonconviction final disposition, and the arrest, indictment, or other information leading to the arrest or indictment, that is subject to a court order for limited access as provided for in section 610.080 shall be omitted.

2. Subsection 1 of this section shall not apply if the request is made under a court order:

(1) In a case for child custody or protection from abuse; or

(2) By an employer against whom a claim of civil liability has been brought, as described under section 610.088, for purposes of defending against a claim of civil liability.

3. Subsection 1 of this section shall not apply:

(1) To the verification of information provided by an applicant if federal law, including rules and regulations promulgated by a self-regulatory organization that has been created under federal law, requires the consideration of an applicant's criminal history for purposes of employment; or

(2) To the verification of information provided to the supreme court, or an entity of the supreme court, in its capacity to govern the practice, procedure, and conduct of all courts, the admission to the bar, the practice of law, the administration of all courts, and supervision of all officers of the judicial branch."; and

Further amend said bill, Page 5, Section 313.220, Line 19, by inserting after all of said section and line the following:

"610.078. 1. Subject to the exceptions in subsection 2 of this section and notwithstanding any other provision of law, upon petition of a person who has been free from conviction for a period of ten years for an offense punishable by one or more years in prison and has completed each court-ordered financial obligation of the sentence, the court where the conviction occurred may enter an order that criminal history record information maintained by a criminal justice agency pertaining to a qualifying offense that carries a maximum penalty of no more than five years be disseminated only to a criminal justice agency; upon its request, to the department of social services in the performance of duties relating to children and youth; or as provided in subsections 2 and 3 of section 43.508.

2. An order for limited access under subsection 1 of this section shall not be granted for any of the following:

(1) A conviction for an offense punishable by more than two years in prison that is any of the following or an attempt or a conspiracy or solicitation to commit any of the following:

(a) An offense involving murder or manslaughter, infanticide, assault, or kidnapping under chapter 565;

(b) Any offense under chapter 566;

(c) An offense of bigamy, incest, endangering the welfare of a child, or trafficking in children under chapter 568; or

(d) An offense involving a firearm or other dangerous weapon under chapter 571; or

(2) An individual who:

(a) Has been convicted of murder, any felony in the first degree, or an offense punishable by imprisonment of twenty years or more;

(b) Has been convicted within the previous twenty years of:

a. A felony or an offense punishable by imprisonment of seven or more years involving:

(i) An offense involving murder or manslaughter, infanticide, assault, or kidnapping under chapter 565;

(ii) Any offense under chapter 566;

(iii) An offense of bigamy, incest, endangering the welfare of a child, or trafficking in children under chapter 568; or

(iv) An offense involving a firearm or other dangerous weapon under chapter 571; or

b. Four or more offenses punishable by imprisonment of two or more years; or

(c) Has been convicted within the previous fifteen years of:

a. Two or more offenses punishable by more than two years in prison; or

b. Any sexual offense under chapter 566.

610.080. 1. The following shall be subject to limited access:

(1) Subject to the exceptions under section 610.082 or if a court has vacated an order for limited access under section 610.084, criminal history record information pertaining to a conviction of a nonviolent offense or a nonsexual offense if a person has been free from conviction for ten years for any offense punishable by imprisonment of one or more years and if completion of each court-ordered financial obligation of the sentence has occurred; or

(2) Criminal history record information pertaining to charges that resulted in a final disposition other than a conviction.

2. (1) On a monthly basis, the Missouri office of state courts administrator shall transmit to the Missouri state highway patrol's central repository the record of any conviction eligible for limited access under subdivision (1) of subsection 1 of this section.

(2) The office of state courts administrator shall transmit to the Missouri state highway patrol's central repository the record of charges subject to limited access under subdivision (2) of subsection 1 of this section within thirty days after entry of the disposition and payment of each court-ordered financial obligation.

(3) If the Missouri state highway patrol's central repository determines through a validation process that a record transmitted is not eligible for limited access relief under subsection 1 of this section or does not match data held in the central repository, the Missouri state highway patrol shall notify the office of state courts administrator of such determination within thirty days of receiving the information.

(4) Upon the expiration of the thirty-day period under subdivision (3) of this subsection, the office of state courts administrator shall remove from the list of eligible records any record for which the office of state courts administrator received a notification of ineligibility or nonmatch with central repository data.

(5) Monthly, each court shall issue an order for limited access for any record in its judicial circuit for which no notification of ineligibility was received by the office of state courts administrator.

3. A criminal history record that is the subject of an order for limited access under this section shall be made available to a noncriminal justice agency only as provided for in subsections 2 and 3 of section 43.508 or, upon request, to the department of social services in the performance of duties relating to children and youth.

610.082. 1. Limited access to records under subdivision (1) of subsection 1 of section 610.080 shall not be granted for any of the following:

(1) A conviction for any of the following or an attempt, conspiracy, or solicitation to commit any of the following:

(a) An offense involving murder or manslaughter, infanticide, assault, or kidnapping under chapter 565;

(b) Any offense under chapter 566;

(c) An offense of bigamy, incest, endangering the welfare of a child, or trafficking in children under chapter 568;

(d) An offense involving a firearm or other dangerous weapon under chapter 571; or

(e) An offense of animal abuse or neglect under chapter 578; or

(2) An individual who, at any time, has been convicted of:

(a) A felony;

(b) Two or more offenses punishable by imprisonment of more than two years; or

(c) Four or more offenses punishable by imprisonment of one or more years.

2. Limited access under this section shall not apply to an otherwise qualifying conviction if a conviction for an offense punishable by imprisonment of five or more years or an offense enumerated in subsection 1 of this section arose out of the same case.

3. Nothing in this section shall preclude the filing of a petition for limited access under section 610.078 if limited access is available under that section.

610.084. 1. Upon petition of the prosecuting attorney to the court where a conviction occurred, and with notice to the defendant and opportunity to be heard, the court shall vacate an order for limited access granted under section 610.080 if the court determines that the order was erroneously entered and not in accordance with section 610.080.

2. Upon conviction of a defendant of a misdemeanor or felony offense and upon a filing of a motion by the prosecuting attorney, the court shall enter an order vacating any prior order for limited access pertaining to a record of the defendant, except under subdivision (2) of subsection 1 of section 610.080.

3. An order under subsection 1 or 2 of this section shall be transmitted to the central repository of the Missouri state highway patrol.

610.086. 1. (1) Except if requested or required by a criminal justice agency, or if disclosure to noncriminal justice agencies is authorized or required by section 43.508, an individual shall not be required or requested to disclose information about the individual's criminal history record that has been provided limited access under section 610.078 or section 610.080. An individual required or requested to provide information in violation of this section may respond as if the offense did not occur.

(2) This subsection shall not apply if federal law, including rules and regulations promulgated by a self-regulatory organization that has been created under federal law, requires the consideration of an applicant's criminal history for purposes of employment.

2. A record subject to limited access under section 610.078 or 610.080 shall not be considered a conviction that would prohibit the employment of a person under any law of this state or under federal laws that prohibit employment based on state convictions to the extent permitted by federal law.

610.088. An employer who employs or otherwise engages an individual whose criminal history record to which limited access has been applied under section 610.078 or 610.080 shall be immune from liability for any claim arising out of the misconduct of the individual if the misconduct relates to the portion of the criminal history record that has been provided limited access.

610.090. The official records pertaining to a case in which limited access has been granted under section 610.078 or 610.080 shall be considered closed records."; and

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

Representative Dogan offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 189, Page 1, Line 29, by deleting the word "ten" and inserting in lieu thereof the word "five"; and

Further amend said amendment, Page 2, Line 27, by deleting the word "**ten**" and inserting in lieu thereof the word "**five**"; and

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

On motion of Representative Dogan, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Schroer, **House Amendment No. 3, as amended**, was adopted.

On motion of Representative Toalson Reisch, **HCS HB 189, as amended**, was adopted.

On motion of Representative Toalson Reisch, **HCS HB 189, as amended**, was ordered perfected and printed.

HB 628, relating to dental prescriptions, was taken up by Representative Coleman (97).

On motion of Representative Coleman (97), the title of **HB 628** was agreed to.

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

House Amendment No. 1

AMEND House Bill No. 628, Page 1, Section A, Line 2, by inserting after said section and line the following:

"326.319. 1. All moneys payable pursuant to the provisions of this chapter shall be collected by the division of professional registration who shall transmit them to the department of revenue for deposit in the state treasury to the credit of a fund to be known as the "State Board of Accountancy Fund" which is hereby created.

2. ~~[Notwithstanding the provisions of section 33.080 to the contrary, money]~~ **Money** in the 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule certificate or permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**

3. In any proceeding in which a remedy provided by subsection 1 or 2 of section 326.310 is imposed, the board may also require the respondent licensee to pay the costs of the proceeding if the board is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the "Missouri State Board of Accountancy Investigation Fund", which is hereby created, to be used solely for investigations as provided in this chapter. The moneys shall not be considered in calculating amounts to be transferred to general revenue as provided in subsection 2 of this section. The fund shall be used solely for board investigations.

4. The board shall set the amount of the fees which this chapter authorizes and requires by rule pursuant to chapter 536. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be deposited in the state treasury to the credit of the "State Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated to the board by the general assembly from this fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**

332.061. All funds received pursuant to the provisions of this chapter shall be transmitted by the director of the division of professional registration to the department of revenue for deposit in the state treasury to the credit of the "Dental Board Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated from the dental board fund by the legislature. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 ~~[is]~~ **exceeds** two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**"; and

Further amend said bill, Section 332.361, Page 2, Line 34, by inserting after said section and line the following:

"333.231. 1. All fees payable under this chapter shall be collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the fund to be known as the "Board of Embalmers and Funeral Directors' Fund".

2. All compensation of board members and employees and all expenses incident to the administration of this chapter shall be paid out of the board of embalmers and funeral directors' fund. No expense of this board shall ever be paid out of any other fund of the state, either by deficiency bill or otherwise.

3. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**

334.050. 1. There is hereby established in the office of the state treasurer a fund to be known as the "Board of Registration for the Healing Arts Fund". All fees of any kind and character authorized to be charged by the board shall be collected by the director of the division of professional registration and shall be transmitted to the department of revenue for deposit in the state treasury for credit to this fund, to be disbursed only in payment of expenses of maintaining the board and for the enforcement of the provisions of law concerning professions regulated by the board; and no other money shall be paid out of the state treasury for carrying out these provisions. Warrants shall be issued on the state treasurer for payment out of said fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**

3. The board shall charge each person applying to and appearing before it for examination for certificate of licensure to practice as physician and surgeon, an examination fee. Should the examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant failing to pass the examination may return to any meeting and be examined upon payment of a reexamination fee.

335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 11 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.

4. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule, permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter 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. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. 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, 1999, shall be invalid and void.

338.070. 1. The board of pharmacy shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to chapter 536. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter. All fees shall be paid before an applicant may be admitted to examination or his or her name placed upon the register of pharmacists, or before any license or permit, or any renewal thereof, is issued by the board.

2. All fees payable pursuant to the provisions of this chapter shall be collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the fund to be known as the "Board of Pharmacy Fund".

3. The provisions of section 33.080 to the contrary notwithstanding, money in this 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 two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ years. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2021.**"; and

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

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

The Chair ruled the point of order well taken.

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

House Amendment No. 2

AMEND House Bill No. 628, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"195.080. 1. Except as otherwise provided in this chapter and chapter 579, this chapter and chapter 579 shall not apply to the following cases: prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that this chapter and chapter 579 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. Unless otherwise provided in sections 334.037, 334.104, and 334.747, a practitioner, other than a veterinarian, shall not issue an initial prescription for more than a seven-day supply of any opioid controlled substance upon the initial consultation and treatment of a patient for acute pain. Upon any subsequent consultation for the same pain, the practitioner may issue any appropriate renewal, refill, or new prescription in compliance with the general provisions of this chapter and chapter 579. Prior to issuing an initial prescription for an opioid controlled substance, a practitioner shall consult with the patient regarding the quantity of the opioid and the patient's option to fill the prescription in a lesser quantity and shall inform the patient of the risks associated with the opioid prescribed. If, in the professional medical judgment of the practitioner, more than a seven-day supply is required to treat the patient's acute pain, the practitioner may issue a prescription for the quantity needed to treat the patient; provided, that the practitioner shall document in the patient's medical record the condition triggering the necessity for more than a seven-day supply and that a nonopioid alternative was not appropriate to address the patient's condition. The provisions of this subsection shall not apply to prescriptions for opioid controlled substances for a patient who is currently undergoing treatment for cancer **or sickle cell disease**, is receiving hospice care from a hospice certified under chapter 197 or palliative care, is a resident of a long-term care facility licensed under chapter 198, or is receiving treatment for substance abuse or opioid dependence.

3. A pharmacist or pharmacy shall not be subject to disciplinary action or other civil or criminal liability for dispensing or refusing to dispense medication in good faith pursuant to an otherwise valid prescription that exceeds the prescribing limits established by subsection 2 of this section.

4. Unless otherwise provided in this section, the quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of this chapter and chapter 579. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form the medical reason for requiring the larger supply. The supply limitations provided in this subsection shall not apply if:

(1) The prescription is issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located in another state; or

(2) The prescription is dispensed directly to a member of the United States Armed Forces serving outside the United States.

5. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services."; and

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

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

On motion of Representative Coleman (97), **HB 628, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

HR 1321 - Consent and House Procedure

REFERRAL OF HOUSE COMMITTEE BILLS

The following House Committee Bills were referred to the Committee indicated:

HCB 1 - Rules - Administrative Oversight

HCB 2 - Rules - Administrative Oversight

HCB 3 - Rules - Administrative Oversight

HCB 5 - Rules - Administrative Oversight

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Rone reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1236** and **HB 1230**, 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 (16): Black (7), Busick, Francis, Haden, Haffner, Hovis, Kelly (141), Love, Morse (151), Pollitt (52), Reedy, Rogers, Rone, Sharpe, Spencer and Stephens (128)

Noes (5): Bosley, Hurst, Lavender, McCreery and Mosley

Absent (4): Carter, Knight, Muntzel and Rowland

Committee on Conservation and Natural Resources, Chairman Remole reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1044**, 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): Brown (70), Chappelle-Nadal, Haden, Knight, Love, Mayhew, McCreery, Pietzman and Remole

Noes (0)

Absent (1): Anderson

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1206**, 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): Brown (70), Chappelle-Nadal, Haden, Knight, Love, Mayhew, McCreery, Pietzman and Remole

Noes (0)

Absent (1): Anderson

Committee on Corrections and Public Institutions, Chairman Roden reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 552**, 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): Appelbaum, Green, Hansen, Henderson, McDaniel, Moon, Remole and Roden

Noes (0)

Absent (2): Franks Jr. and Morse (151)

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 1085**, 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): Appelbaum, Green, Hansen, Henderson, McDaniel, Moon, Remole and Roden

Noes (0)

Absent (2): Franks Jr. and Morse (151)

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 1237**, 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): Appelbaum, Green, Hansen, Henderson, McDaniel, Moon, Remole and Roden

Noes (0)

Absent (2): Franks Jr. and Morse (151)

Committee on Elections and Elected Officials, Chairman Shaul (113) reporting:

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was authorized **HCB 10**, relating to elections, begs leave to report it has examined the same and recommends that it **Be Introduced** by the following vote:

Ayes (5): McGaugh, Shaul (113), Simmons, Stacy and Toalson Reisch

Noes (2): Morgan and Windham

Absent (0)

Read the first time and copies ordered printed.

Committee on Elementary and Secondary Education, Vice-Chairman Basye reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was authorized **HCB 6**, relating to elections, begs leave to report it has examined the same and recommends that it **Be Introduced** by the following vote:

Ayes (7): Bailey, Baker, Basye, Christofanelli, Coleman (97), Dogan and Trent

Noes (4): Bangert, Brown (70), Morgan and Swan

Present (1): Proudie

Absent (3): Eslinger, Roeber and Stacy

Read the first time and copies ordered printed.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was authorized **HCB 7**, relating to elementary and secondary education, begs leave to report it has examined the same and recommends that it **Be Introduced** by the following vote:

Ayes (12): Bailey, Baker, Bangert, Basye, Brown (70), Christofanelli, Coleman (97), Dogan, Morgan, Proudie, Swan and Trent

Noes (0)

Absent (3): Eslinger, Roeber and Stacy

Read the first time and copies ordered printed.

Committee on Financial Institutions, Chairman Bondon reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1083**, 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 (13): Bailey, Billington, Bland Manlove, Bondon, Clemens, DeGroot, Francis, Green, Griesheimer, McGirl, O'Donnell, Rowland and Shaul (113)

Noes (0)

Absent (1): Shull (16)

Special Committee on Criminal Justice, Chairman Dogan reporting:

Mr. Speaker: Your Special Committee on Criminal Justice, to which was referred **HB 811**, 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 (6): Dogan, Hannegan, Lovasco, Roberts (161), Roberts (77) and Washington

Noes (1): Christofanelli

Absent (3): Evans, Price and Smith

Mr. Speaker: Your Special Committee on Criminal Justice, to which was referred **HB 1122**, 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 (8): Christofanelli, Dogan, Evans, Hannegan, Lovasco, Roberts (161), Roberts (77) and Washington

Noes (0)

Absent (2): Price and Smith

Special Committee on Student Accountability, Chairman Spencer reporting:

Mr. Speaker: Your Special Committee on Student Accountability, to which was referred **HB 281** and **HB 570**, 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 (10): Allred, Burnett, Kelley (127), Moon, Morse (151), Mosley, Pollitt (52), Sain, Shields and Spencer

Noes (0)

Absent (0)

Mr. Speaker: Your Special Committee on Student Accountability, to which was referred **HB 464**, 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 (6): Allred, Burnett, Kelley (127), Mosley, Pollitt (52) and Spencer

Noes (1): Morse (151)

Absent (3): Moon, Sain and Shields

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Tuesday, April 2, 2019.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Wednesday, April 3, 2019, 12:00 PM or upon morning recess (whichever is later),
House Hearing Room 7.

Public hearing will be held: SB 133

Executive session will be held: HB 951

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

CHILDREN AND FAMILIES

Tuesday, April 2, 2019, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 183, HB 1135

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

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, April 2, 2019, 9:00 AM, House Hearing Room 6.

Public hearing will be held: SS#2 SCS SB 194

Executive session will be held: HB 813

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

ELECTIONS AND ELECTED OFFICIALS

Wednesday, April 3, 2019, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 408, HB 535, HB 1125, HJR 33, HB 917, HB 1107

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

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 2, 2019, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 976, HB 836, HB 957

Executive session will be held: HB 1024, HB 1010, HB 1139, HB 299, HB 364

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

Added HB 957.

AMENDED

FISCAL REVIEW

Tuesday, April 2, 2019, 9:15 AM, House Hearing Room 7.

Executive session will be held: HCS HB 400, HB 1029, HCS HBs 26 & 922, HCS HB 762, HCS HB 1088

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

Time change. Added HB 1029, HB 26, HB 762, and HB 1088.

AMENDED

GENERAL LAWS

Tuesday, April 2, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 4.

Public hearing will be held: SS SCS SB 197, HB 1006, SCR 4

Executive session will be held: HB 585, HB 751, HB 1062, HJR 54, HJR 37, HCR 25

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

Added: HB 1062- Executive session.

AMENDED

JUDICIARY

Tuesday, April 2, 2019, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 5.

Public hearing will be held: HB 956, HB 194, HB 262, HB 248, HB 541

Executive session will be held: SS SB 38, HB 709, HB 186, HB 1042

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

Added HB 541.

AMENDED

LOCAL GOVERNMENT

Tuesday, April 2, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 1.

Public hearing will be held: SB 53, HB 823

Executive session will be held: HB 1173, HB 1249

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

Executive session will be held first.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 2, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 7.

Public hearing will be held: HB 1140, HB 1066, HB 884, HB 377

Executive session will be held: HB 840

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

RULES - LEGISLATIVE OVERSIGHT

Tuesday, April 2, 2019, 12:00 PM, House Hearing Room 5.

Executive session will be held: HCS HB 297, HB 610, HCS HB 674, HCS HB 633, HR 873, HCS HB 1094, HCS HB 1127

Executive session may be held on any matter referred to the committee.
Removing HB 1162.

AMENDED

SPECIAL COMMITTEE ON AGING

Wednesday, April 3, 2019, 6:00 PM or upon adjournment (whichever is later), House Hearing Room 6.

Public hearing will be held: HB 1176, HB 977, HB 1131

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

SPECIAL COMMITTEE ON CAREER READINESS

Wednesday, April 3, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 6.

Executive session will be held: HB 744, HB 1093

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

SPECIAL COMMITTEE ON CRIMINAL JUSTICE

Thursday, April 4, 2019, 8:00 AM, House Hearing Room 1.

Public hearing will be held: HB 731, HB 1095

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

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, April 3, 2019, 8:00 AM, House Hearing Room 1.

Public hearing will be held: SCS SB 90, HB 92

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

SPECIAL COMMITTEE ON STUDENT ACCOUNTABILITY

Tuesday, April 2, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 6.

Executive session will be held: HB 534

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

UTILITIES

Tuesday, April 2, 2019, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 7.

Public hearing will be held: SB 72, HB 521, HB 909, HB 1098, HCR 43

Executive session will be held: HB 357, HB 1025

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

VETERANS

Wednesday, April 3, 2019, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 1.

Public hearing will be held: HB 792, HB 712, HJR 30, SCS SB 180

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

WAYS AND MEANS

Wednesday, April 3, 2019, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 422, HJR 40, HB 1060

Executive session will be held: HB 842
Executive session may be held on any matter referred to the committee.
Added HB 1060.
AMENDED

HOUSE CALENDAR

FORTY-FIFTH DAY, TUESDAY, APRIL 2, 2019

HOUSE COMMITTEE BILLS FOR SECOND READING

HCB 6 and HCB 7
HCB 10

HOUSE BILLS FOR PERFECTION

HCS HB 581 - Roeber
HB 230 - Dinkins
HB 231 - Kolkmeier
HCS HB 739 - Miller
HCS HBs 812 & 832 - Houx
HCS#2 HB 626 - Ruth
HCS#2 HB 352 - Hannegan
HB 715 - Lynch
HB 563 - Wiemann
HCS HB 982 - Hicks
HB 1061 - Patterson
HB 265 - Taylor
HB 332 - Lynch
HCS HB 266 - Muntzel
HCS HB 168 - Rehder
HB 272 - Shaul (113)
HCS#2 HB 374 - Christofanelli
HCS HB 160 - Knight
HB 723 - Pike
HB 898 - Walsh
HB 841 - Ruth
HB 831 - Sharpe
HB 815 - Black (137)
HB 575 - Dohrman
HB 485 - Dogan
HCS HB 559 - Spencer
HB 728 - Billington
HCS HB 269 - Shaul (113)
HB 501 - Grier

HCS HB 229 - Swan
HCS HB 346 - Lynch
HCS HB 700 - Rehder
HB 159 - Love
HB 920 - Coleman (97)
HB 761 - Pfautsch
HCS HB 824 - Francis
HB 584 - Knight

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 16 - Dohrman

HOUSE BILLS FOR THIRD READING

HCS HB 400, (Fiscal Review 3/7/19) - Basye

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS HB 473 - Grier
HCS HB 1088, (Fiscal Review 3/28/19) - Houx
HCS HBs 26 & 922, (Fiscal Review 3/28/19) - Taylor
HCS HB 762, (Fiscal Review 3/28/19) - Wiemann
HB 1029, (Fiscal Review 3/28/19) - Bondon

BILLS IN CONFERENCE

SCS HCS HB 14 - Smith

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
CCS SCS HCS HB 2009 - Smith
CCS SS SCS HCS HB 2010 - Smith
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