

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-THIRD DAY, WEDNESDAY, APRIL 25, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

LORD GOD, our Father, You deserve praise forevermore! You are great, mighty, majestic, magnificent, glorious, and sovereign over all the heaven and earth! You are the source of wealth and honor; You reign over all. You possess strength and might and give strength to all. So, unto You, we give thanks.

We are determined to accomplish what we were sent here to do. We understand that in that determination, we will be misunderstood, misjudged, misinterpreted and misquoted. But, with Your help, we refuse to succumb to the temptation of offense, grudges and resentments that become obstacles to finishing our assigned tasks.

Help us to avoid being impetuous, thus, avoiding the problems that steal our time, our thoughts, and our energies.

Now may our Lord Jesus Christ Himself and God our Father, who has loved us and given us eternal comfort and good hope by grace; comfort and strengthen our hearts in every good work and word.

For it's in His name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adrian George, Mara George, Nathen Gober, Emma Gober, Owen Gober, Danielle Hayes, Benton Frala, Trenae Wings, Thomas Shuman, Michael Dunlap, Madyson Stallcup, Nick Bollinger, Rachel Reilly, Emily Wang, Josh Woodyard, Morgan Grotewiel, Jacob Helton and Kathleen Joseph.

The Journal of the sixty-second day was approved as corrected.

Representative Schoeller assumed the Chair.

SPECIAL RECOGNITION

The Belton Pirates Dance Team was introduced by Representative Baker (123) and recognized for attaining the 2007 Class 4A State Championship.

THIRD READING OF SENATE BILL

HCS SCS SB 64, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Baker (123) offered **House Amendment No. 1.**

Representative Corcoran raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Schoeller requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Cooper (120) assumed the Chair.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 3, Section 161.375, Line 34, by inserting after all of said line the following:

"161.380. 1. The department of elementary and secondary education shall develop standards for teaching in Missouri public schools no later than June 30, 2008. The standards shall be applicable to all public schools, including public charter schools.

2. Teaching standards shall include, but not be limited to, the following:

(1) Students actively participate and are successful in the learning process;
(2) Various forms of assessment are used to monitor and manage student learning;
(3) The teacher is prepared and knowledgeable of the content and effectively maintains students' on-task behavior;

(4) The teacher uses professional communication and interaction with the school community;
(5) The teacher keeps current on instructional knowledge and seeks and explores changes in teaching behaviors that will improve student performance; and

(6) The teacher acts as a responsible professional in the overall mission of the school.

3. The department may establish guidance for districts to consider in establishing the criteria by which teaching will be evaluated under the teaching standards.

4. In developing such teaching standards and evaluation models, the department shall involve representatives from the state teacher organizations, administration and principal organizations, Missouri advisory council for the certification of educators as created by section 168.015, Missouri staff development council, and colleges and universities."; and

Further amend the title and enacting clause accordingly.

Representative Aull offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 1, Line 7, by deleting the "." on said line and inserting in lieu thereof the following:

'; and

Further amend said bill, Section 168.021, Page 7, Line 42, by inserting after all of said line the following:

"(d) An applicant must meet the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education in order to receive anything other than a two-year non-renewable provisional certificate."; and

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

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

Representative Aull moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Day	Deeken	Donnelly
Dougherty	El-Amin	Fallert	Fares	Frame
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	McGhee	Meiners
Nasheed	Nolte	Norr	Oxford	Page
Portwood	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Silvey
Skaggs	Smith 150	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Wildberger	Witte	Yaeger	Young	Zimmerman
Zweifel				

NOES: 079

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Dempsey	Denison	Dixon
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schoeller	Self	Smith 14
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bowman	Brown 30	Bruns	Dethrow	George
Kratky	Meadows	Pratt	Salva	Scharnhorst
Schlottach	Stevenson	Wright-Jones		

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Brown 30	Bruns	Chappelle-Nadal	Flook
Harris 23	Kratky	Meadows	Nolte	Pratt
Sater	Scharnhorst	Sutherland	Mr Speaker	

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

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson

Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Stream	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Fares
Harris 23	Kratky	Nolte	Pratt	Scharnhorst

HCS SCS SB 64 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5 to SB 233**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 308, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 308, as amended, relating to licensed professionals, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to recede from its position on **HCS SCS SB 308, as amended**, and grant the Senate a conference.

Which motion was adopted.

SB 233, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5, relating to sales tax for Perry County, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5 to SB 233** and grant the Senate a conference.

Which motion was adopted.

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

AFTERNOON SESSION

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

Speaker Jetton resumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Noonan, Meridith Gibbons, Brooke Cummings, Jennifer Zwiefel, Whitney McGinnis, Jenna Homeyer, Rachal Dukar, Steve Bradley and Damian Booker.

SPECIAL RECOGNITION

John Dillingham of Kansas City was introduced by Representative Nolte and recognized as an Outstanding Missourian.

Representative Pearce assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2635 through House Resolution No. 2695

THIRD READING OF SENATE BILLS

SCS SB 456, relating to payments to school districts, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCS SB 456** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Bringer	McClanahan	Quinn 9	Shively
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PRESENT: 001

Darrough

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Kratky	Pratt
Scharnhorst	Walton			

Representative Pearce declared the bill passed.

HCS SB 81, as amended, relating to tourism and economic development, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SB 81, as amended**, was adopted.

On motion of Representative Schlottach, **HCS SB 81, as amended**, was read the third time and passed by the following vote:

AYES: 087

Aull	Baker 25	Bearden	Bland	Brandom
Bringer	Cooper 155	Cox	Cunningham 145	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
El-Amin	Emery	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Guest
Haywood	Hobbs	Hubbard	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Lampe
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Munzlinger	Nance	Nieves
Nolte	Onder	Oxford	Parson	Pearce
Richard	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Yaeger
Young	Mr Speaker			

NOES: 064

Avery	Baker 123	Bivins	Bowman	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 158	Curls
Darrough	Daus	Davis	Day	Donnelly
Dusenberg	Ervin	Flook	George	Grill
Grisamore	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hunter	Johnson	Kraus	Kuessner
Lembke	LeVota	Liese	Lipke	McClanahan
Meadows	Moore	Muschany	Nasheed	Norr
Page	Portwood	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Scavuzzo	Schieffer	Schoemehl
Shively	Silvey	Skaggs	Spreng	Storch

Talboy	Todd	Vogt	Walsh	Whorton
Wright 159	Yates	Zimmerman	Zweifel	

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Cooper 120	Corcoran	Cunningham 86
Kratky	Pollock	Pratt	Scharnhorst	Walton
Wasson				

Representative Pearce declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 071

Bearden	Bivins	Brandom	Brown 50	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Darrough
Daus	Deeken	Denison	Dethrow	Dixon
Dougherty	Faith	Fares	Fisher	Franz
Funderburk	Hobbs	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Lampe
Loehner	Marsh	May	McGhee	Meiners
Munzlinger	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Richard	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schlottach	Schoeller	Self	Smith 14	Stevenson
St. Onge	Stream	Thomson	Tilley	Viebrock
Villa	Wallace	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Young
Mr Speaker				

NOES: 083

Aull	Avery	Baker 25	Baker 123	Bland
Bowman	Bringer	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Davis	Day	Dempsey
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Fallert	Flook	Frame	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Kraus	Kuessner	LeVota	Liese
Lipke	Low 39	Lowe 44	McClanahan	Meadows
Moore	Muschany	Nasheed	Norr	Oxford
Page	Portwood	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Silvey
Skaggs	Smith 150	Spreng	Storch	Sutherland
Swinger	Talboy	Threlkeld	Todd	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cunningham 86	Kratky	Lembke
Pratt	Scharnhorst	Walton	Wasson	

Representative Jones (89) assumed the Chair.

THIRD READING OF HOUSE BILL

HB 647, relating to deer hunting, was taken up by Representative Young.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 008

Brown 30	Brown 50	Bruns	Pratt	Scharnhorst
Swinger	Walton	Zimmerman		

On motion of Representative Young, **HB 647** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Rucker	Ruestman	Sander	Sater
Schaaf	Schad	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Mr Speaker

NOES: 026

Corcoran	Curls	Darrough	Frame	Harris 23
Harris 110	Liese	Low 39	McClanahan	Meadows
Quinn 9	Robinson	Roorda	Ruzicka	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Todd	Whorton	Wildberger	Witte	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Pratt	Scharnhorst	Schlottach
Swinger	Walton			

Representative Jones (89) declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 25, relating to services for children, was taken up by Representative Franz.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 25, Page 1, in the Title, Line 4, by inserting after the word “investigations,” the words “**foster parents’ bill of rights,**”; and

Further amend said bill, Page 7, Section 210.183, by inserting after all of said section the following:

“210.566. 1. (1) The **children's** division [of family services] and its contractors, **recognizing that foster parents are not clients but rather are colleagues in the child welfare team**, shall treat foster parents [with courtesy, respect and consideration] **in a manner consistent with the National Association of Social Workers' ethical standards of conduct as described in its Social Workers' Ethical Responsibilities to Colleagues**. Foster parents shall treat the children in their care, the child's birth family and members of the child welfare team [with courtesy, respect and consideration] **in a manner consistent with their ethical responsibilities as professional team members**.

(2) The children's division and its contractors shall provide written notification of the rights enumerated in this section at the time of initial licensure and at the time of each licensure renewal following the initial licensure period.

2. (1) The **children's** division [of family services] and its contractors shall provide foster parents with **regularly scheduled opportunities for preservice training**, [preservice] and **regularly scheduled opportunities for pertinent inservice training, as determined by the Missouri State Foster Care and Adoption Advisory Board**[, and support].

(2) The children's division [of family services] and its contractors shall [share] provide to foster parents and potential adoptive parents, prior to placement, all pertinent information [about the child and the child's family], including but not limited to[, the case plan with the foster parents to assist in determining if a child would be a proper placement. The children's division [of family services] and its contractors shall inform the foster parents of issues relative to the child that may jeopardize the health or safety of the foster family] full disclosure of all medical, psychological, and psychiatric conditions of the child, as well as information from previous placements that would indicate that the child or children may have a propensity to cause violence to any member of the foster family home. The foster parents must be provided with any information regarding the child or the child's family, inclusive of the case plan, family history of mental or physical illness, sexual abuse or perpetration, criminal background, fire-setting or other destructive behavior, substance abuse, or any other information which is pertinent to the care and needs of the child and to protect the foster or adoptive family. Knowingly providing false or misleading information to foster parents in order to secure placement shall be denoted in the caseworker's personnel file and shall be kept on record by the division.

(3) The children's division [of family services] and its contractors shall arrange preplacement visits, except in emergencies.

(4) The foster parents may ask questions about the child's case plan, encourage a placement or refuse a placement without reprisal from the caseworker or agency. After a placement, the children's division [of family services] and its contractors shall update the foster parents as new information about the child is gathered.

(5) Foster parents shall be informed in a timely manner by the children's division and its contractors of [upcoming] all team meetings and staffings concerning their licensure status or children placed in their homes, and shall be allowed to participate, consistent with section 210.761.

(6) The children's division [of family services] and its contractors shall establish reasonably accessible respite care for children in foster care for short periods of time, jointly determined by foster parents and the child's caseworker pursuant to section 210.545. Foster parents shall follow all procedures defined by the children's division and its contractors for requesting and using respite care.

[(2)] (7) Foster parents shall treat all information received from the children's division [of family services] and its contractors about the child and the child's family as confidential. Information necessary for the medical or psychiatric care of the child may be provided to the appropriate practitioners. Foster parents may share

information necessary with school personnel in order to secure a safe and appropriate education for the child. **Additionally, foster parents [may] shall share information they may learn about the child and the child's family, and concerns that arise in the care of the child,** with the caseworker and other members of the child welfare team. Recognizing that placement changes are difficult for children, foster parents shall seek all necessary information, and participate in preplacement visits **whenever possible**, before deciding whether to accept a child for placement. [Foster parents shall follow all procedures defined by the division of family services for requesting and using respite care.]

3. (1) Foster parents shall make decisions about the daily living concerns of the child, and shall be permitted to continue the practice of their own family values and routines while respecting the child's cultural heritage. All discipline shall be consistent with state laws and regulations. The **children's division** [of family services] shall allow foster parents to help plan visitation between the child and the child's **siblings or biological family**. **Visitations should be scheduled at a time that meets the needs of the child, the biological family members, and the foster family whenever possible. Recognizing that visitation with family members is an important right of children in foster care, foster parents shall be flexible and cooperative with regard to family visits.**

(2) Foster parents shall provide care that is respectful of the child's cultural identity and needs. **Recognizing that cultural competence can be learned, the children's division and their contractors shall provide foster parents with training that specifically addresses cultural needs of children, including but not limited to, information on skin and hair care, information on any specific religious or cultural practices of the child's biological family, and referrals to community resources for ongoing education and support.**

(3) Foster parents shall recognize that the purpose of discipline is to teach and direct the behavior of the child, and ensure that it is administered in a humane and sensitive manner. [Recognizing that visitation with family members is an important right, foster parents shall be flexible and cooperative in regard to family visits.] **Foster parents shall use discipline methods which are consistent with children's division policy.**

4. (1) Consistent with state laws and regulations, the [state may] **children's division and its contractors shall** provide, upon request by the foster parents, information about a child's progress after the child leaves foster care.

(2) Except in emergencies, foster parents shall be given **two weeks** advance notice [consistent with division policy,] and a written statement of the reasons before a child is removed from their care. **When requesting removal of a child from their home, foster parents shall give two weeks advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.**

(3) **Recognizing the critical nature of attachment for children, if a child reenters the foster care system and cannot be placed in a relative home, the child's former foster parents shall be [considered as a placement option] given first consideration for placement of the child.**

(4) If a child becomes free for adoption while in foster care, the child's foster family shall be given preferential consideration as adoptive parents consistent with section 453.070, RSMo.

[(2)] (5) [Confidentiality rights of the child and the child's parents shall be respected and maintained. Foster parents shall inform the child's caseworker of their interest if a child reenters the system.] If a foster child becomes free for adoption and the foster parents desire to adopt the child, they shall inform the caseworker [in a timely manner] **within sixty days of the caseworker's initial query**. If they do not choose to pursue adoption, foster parents shall make every effort to support and encourage the child's placement in a permanent home, **including but not limited to providing information on the history and care needs of the child and accommodating transitional visitation**. [When requesting removal of a child from their home, foster parents shall give reasonable advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.]

5. (1) Foster parents shall be informed by the court [in a timely manner] **no later than two weeks prior** of all court hearings pertaining to a child in their care, and informed of their right to attend and participate, consistent with section 211.464, RSMo.

[(2)] (2) Foster parents shall share any concerns regarding the case plan for a child in their care with the child's caseworker, as well as other members of the child welfare team, in a timely manner.]

6. **The children's division and their contractors shall provide access to a fair and impartial grievance process to address licensure, case management decisions, and delivery of service issues.** Foster parents shall have timely access to the child placement agency's appeals process, and shall be free from acts of retaliation when exercising the right to appeal.

7. **The children's division and their contractors shall provide training to foster parents on the policies and procedures governing the licensure of foster homes, the provision of foster care, and the adoption process.** Foster parents shall, **upon request, be provided with written documentation of the policies of the children's division**

and their contractors [know and follow the policies of the division of family services, including the appeals procedure].
Per licensure requirements, foster parents shall comply with the policies of the child placement agency.

8. For purposes of this section, "foster parent" means a resource family providing care of children in state custody."; and

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

Representative Sander offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Donnelly offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 4, Line 17, by deleting the words "cannot be" and replacing with "is not".

On motion of Representative Donnelly, **House Amendment No. 2 to House Amendment No. 1** was adopted.

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

House Amendment No. 3
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 2, Section 210.566, Line 6, by deleting the opening bracket "[" after the word "division"; and

Further amend said amendment, Page 2, Line 7, by deleting the closing bracket "]" after the word "services"; and

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

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

On motion of Representative Franz, **House Amendment No. 1, as amended**, was adopted.

Representative Baker (123) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 25, Section 210.183, Page 7, by inserting after all of said section the following:

"452.340. 1. In a proceeding for dissolution of marriage, legal separation or child support, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the support of the child, including an award retroactive to the date of filing the petition, without regard to marital misconduct, after considering all relevant factors including:

(1) The financial needs and resources of the child;

- (2) The financial resources and needs of the parents;
- (3) The standard of living the child would have enjoyed had the marriage not been dissolved;
- (4) The physical and emotional condition of the child, and the child's educational needs;
- (5) The child's physical and legal custody arrangements, including the amount of time the child spends with each parent and the reasonable expenses associated with the custody or visitation arrangements; and

- (6) The reasonable work-related child care expenses of each parent.

2. The obligation of the parent ordered to make support payments shall abate, in whole or in part, for such periods of time in excess of thirty consecutive days that the other parent has voluntarily relinquished physical custody of a child to the parent ordered to pay child support, notwithstanding any periods of visitation or temporary physical and legal or physical or legal custody pursuant to a judgment of dissolution or legal separation or any modification thereof. In a IV-D case, the **family support** division [of child support enforcement] may determine the amount of the abatement pursuant to this subsection for any child support order and shall record the amount of abatement in the automated child support system record established pursuant to chapter 454, RSMo. If the case is not a IV-D case and upon court order, the circuit clerk shall record the amount of abatement in the automated child support system record established in chapter 454, RSMo.

3. Unless the circumstances of the child manifestly dictate otherwise and the court specifically so provides, the obligation of a parent to make child support payments shall terminate when the child:

- (1) Dies;
- (2) Marries;
- (3) Enters active duty in the military;
- (4) Becomes self-supporting, provided that the custodial parent has relinquished the child from parental control by express or implied consent;
- (5) Reaches age eighteen, unless the provisions of subsection 4 or 5 of this section apply; or
- (6) Reaches age [twenty-two] **twenty-one**, unless the provisions of the child support order specifically extend the parental support order past the child's [twenty-second] **twenty-first** birthday for reasons provided by subsection 4 of this section.

4. If the child is physically or mentally incapacitated from supporting himself and insolvent and unmarried, the court may extend the parental support obligation past the child's eighteenth birthday.

5. If when a child reaches age eighteen, the child is enrolled in and attending a secondary school program of instruction, the parental support obligation shall continue, if the child continues to attend and progresses toward completion of said program, until the child completes such program or reaches age twenty-one, whichever first occurs. If the child is enrolled in an institution of vocational or higher education not later than October first following graduation from a secondary school or completion of a graduation equivalence degree program and so long as the child enrolls for and completes at least twelve hours of credit each semester, not including the summer semester, at an institution of vocational or higher education and achieves grades sufficient to reenroll at such institution, the parental support obligation shall continue until the child completes his or her education, or until the child reaches the age of [twenty-two] **twenty-one**, whichever first occurs. To remain eligible for such continued parental support, at the beginning of each semester the child shall submit to each parent a transcript or similar official document provided by the institution of vocational or higher education which includes the courses the child is enrolled in and has completed for each term, the grades and credits received for each such course, and an official document from the institution listing the courses which the child is enrolled in for the upcoming term and the number of credits for each such course. **When enrolled in at least twelve credit hours, if the child receives two failing grades in any one semester, payment of child support may be terminated and shall not be eligible for reinstatement. If the child fails to produce the required documents, payment of child support may terminate without the accrual of any child support arrearage and shall not be eligible for reinstatement.** If the circumstances of the child manifestly dictate, the court may waive the October first deadline for enrollment required by this subsection. [If the child has pursued a path of continuous attendance and has demonstrated evidence of a plan to continue to do so, the court may enter a judgment abating support for a period of up to five months for any semester in which the child completes at least six but less than twelve credit hours; however, such five-month period of abatement shall only be granted one time for each child.] If the child is enrolled in such an institution, the child or parent obligated to pay support may petition the court to amend the order to direct the obligated parent to make the payments directly to the child. As used in this section, an "institution of vocational education" means any postsecondary training or schooling for which the student is assessed a fee and attends classes regularly. "Higher education" means any junior college, community college, college, or university at which the child attends classes regularly. A child who has been diagnosed with a [learning] **developmental** disability, as defined in section 630.005,

RSMo, or whose physical disability or diagnosed health problem limits the child's ability to carry the number of credit hours prescribed in this subsection, shall remain eligible for child support so long as such child is enrolled in and attending an institution of vocational or higher education, and the child continues to meet the other requirements of this subsection. **However, a parent who has a child diagnosed after age eighteen with a developmental or physical disability or diagnosed health care problem shall not be required to pay support after age twenty-one. Diagnosis prior to or after age eighteen shall be completed by two licensed physicians, one selected by each parent. Both physicians shall be in agreement for the diagnosis to be considered in the child support case. If a diagnosis of a developmental or physical disability or health care problem occurs prior to the dissolution of the marriage between a child's parents, then the original diagnosis made by a licensed physician prior to the dissolution of marriage will be sufficient for the diagnosis to be considered in the child support case.** A child who is employed at least fifteen hours per week during the semester may take as few as nine credit hours per semester and remain eligible for child support so long as all other requirements of this subsection are complied with.

6. The court shall consider ordering a parent to waive the right to claim the tax dependency exemption for a child enrolled in an institution of vocational or higher education in favor of the other parent if the application of state and federal tax laws and eligibility for financial aid will make an award of the exemption to the other parent appropriate.

7. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child except for cases where the court specifically finds that such contact is not in the best interest of the child. In order to effectuate this public policy, a court with jurisdiction shall enforce visitation, custody and child support orders in the same manner. A court with jurisdiction may abate, in whole or in part, any past or future obligation of support and may transfer the physical and legal or physical or legal custody of one or more children if it finds that a parent has, without good cause, failed to provide visitation or physical and legal or physical or legal custody to the other parent pursuant to the terms of a judgment of dissolution, legal separation or modifications thereof. The court shall also award, if requested and for good cause shown, reasonable expenses, attorney's fees and court costs incurred by the prevailing party.

8. The Missouri supreme court shall have in effect a rule establishing guidelines by which any award of child support shall be made in any judicial or administrative proceeding. Said guidelines shall contain specific, descriptive and numeric criteria which will result in a computation of the support obligation. The guidelines shall address how the amount of child support shall be calculated when an award of joint physical custody results in the child or children spending substantially equal time with both parents. [Not later than October 1, 1998,] The Missouri supreme court shall publish child support guidelines and specifically list and explain the relevant factors and assumptions that were used to calculate the child support guidelines. Any rule made pursuant to this subsection shall be reviewed by the promulgating body not less than once every four years to ensure that its application results in the determination of appropriate child support award amounts.

9. There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of the guidelines established pursuant to subsection 8 of this section is the correct amount of child support to be awarded. A written finding or specific finding on the record in a judicial or administrative proceeding that the application of the guidelines would be unjust or inappropriate in a particular case, after considering all relevant factors, including the factors set out in subsection 1 of this section, is required if requested by a party and shall be sufficient to rebut the presumption in the case. The written finding or specific finding on the record shall detail the specific relevant factors that required a deviation from the application of the guidelines.

10. Pursuant to this or any other chapter, when a court determines the amount owed by a parent for support provided to a child by another person, other than a parent, prior to the date of filing of a petition requesting support, or when the director of the **family support** division [of child support enforcement] establishes the amount of state debt due pursuant to subdivision (2) of subsection 1 of section 454.465, RSMo, the court or director shall use the guidelines established pursuant to subsection 8 of this section. The amount of child support resulting from the application of the guidelines shall be applied retroactively for a period prior to the establishment of a support order and the length of the period of retroactivity shall be left to the discretion of the court or director. There shall be a rebuttable presumption that the amount resulting from application of the guidelines under subsection 8 of this section constitutes the amount owed by the parent for the period prior to the date of the filing of the petition for support or the period for which state debt is being established. In applying the guidelines to determine a retroactive support amount, when information as to average monthly income is available, the court or director may use the average monthly income of the noncustodial parent, as averaged over the period of retroactivity, in determining the amount of presumed child support owed for the period of

retroactivity. The court or director may enter a different amount in a particular case upon finding, after consideration of all relevant factors, including the factors set out in subsection 1 of this section, that there is sufficient cause to rebut the presumed amount.

11. The obligation of a parent to make child support payments may be terminated as follows:

(1) Provided that the child support order contains the child's date of birth, the obligation shall be deemed terminated without further judicial or administrative process when the child reaches age [twenty-two] **twenty-one** if the child support order does not specifically require payment of child support beyond age [twenty-two] **twenty-one** for reasons provided by subsection 4 of this section;

(2) The obligation shall be deemed terminated without further judicial or administrative process when the parent receiving child support furnishes a sworn statement or affidavit notifying the obligor parent of the child's emancipation in accordance with the requirements of subsection 4 of section 452.370, and a copy of such sworn statement or affidavit is filed with the court which entered the order establishing the child support obligation, or the division of child support enforcement;

(3) The obligation shall be deemed terminated without further judicial or administrative process when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; which statement or affidavit is served by the court or division on the child support obligee; and which is either acknowledged and affirmed by the child support obligee in writing, or which is not responded to in writing within thirty days of receipt by the child support obligee;

(4) The obligation shall be terminated as provided by this subdivision by the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; and which statement or affidavit is served by the court or division on the child support obligee. If the obligee denies the statement or affidavit, the court or division shall thereupon treat the sworn statement or affidavit as a motion to modify the support obligation pursuant to section 452.370 or section 454.496, RSMo, and shall proceed to hear and adjudicate such motion as provided by law; provided that the court may require the payment of a deposit as security for court costs and any accrued court costs, as provided by law, in relation to such motion to modify.

12. The court may enter a judgment terminating child support pursuant to subdivisions (1) to (3) of subsection 11 of this section without necessity of a court appearance by either party. The clerk of the court shall mail a copy of a judgment terminating child support entered pursuant to subsection 11 of this section on both the obligor and obligee parents. The supreme court may promulgate uniform forms for sworn statements and affidavits to terminate orders of child support obligations for use pursuant to subsection 11 of this section and subsection 4 of section 452.370."; and

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

Representative Lampe raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HCS SB 25, as amended, with House Amendment No. 2, pending, was laid over.

HCS SCS SB 64, relating to elementary and secondary education, was again taken up by Representative Wallace.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 2, Section 160.041, Line 13, by adding after all of said line the following:

"160.053. 1. If a school district maintains a kindergarten program, a child is eligible for admission to kindergarten and to the summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year. A child is eligible for admission to first grade if the child reaches the age of six before the first day of August of the school year beginning in that calendar year. **The parent or guardian of a child born on August first through October thirty-first may request the district to test the child for school readiness under subsection 5 of this section.**

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district or an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year shall not be required to meet the age requirements of a district for entrance into grade one.

4. The provisions of this section relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

5. The department of elementary and secondary education shall develop a list of approved assessments to determine a child's cognitive and social readiness to begin kindergarten and first grade. When the parent or guardian of any child born on August first through October thirty-first requests the district to test the child for school readiness, if the child achieves a score that district policy has determined to be at or above the minimum needed for school readiness for kindergarten or first grade, as applicable, the child shall be admitted."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Pages 3 and 4, Section 167.128, Lines 30 to 33, by deleting all of such lines and inserting in lieu thereof the following:

"(b) Be reimbursed through the local school district for the full cost of education services provided to children placed in their care by the department of social services as allowed by law in accordance with the availability of funds from such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources. The local school district shall make all needed requests and applications for such reimbursement."; and

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

Representative Robb offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Pages 3 to 5, Section 167.128, Lines 1 to 101, by deleting after all of said lines and inserting in lieu thereof the following:

"167.128. 1. The educational needs of each child under the jurisdiction of the juvenile court or family court under subdivisions (1), (2), or (5) of subsection 1 of section 211.031, RSMo, shall be considered as part of the function of the child's family support team pursuant to policy of the department of social services. Such needs shall include, but not be limited to, the assumption that regular full school days of education are warranted. For the purposes of this section, "full school day" shall mean six hours in which the child is under the guidance and direction of teachers in the education process. The local school district shall be invited to have representation on the child's family support team. If the school district designates a representative, the representative shall be a full participant in the family support team.

2. Nothing in this section shall be construed to infringe upon the rights or due process provisions of the federal Individuals with Disabilities Education Act. Nothing in this section shall be construed to impede the ability of the family support team or the facility staff from making a referral for special education services, if appropriate, when a child is placed in a facility described in this section without an individualized education program or without a pending referral for such services. If a child is referred for such services, the provisions of the Individuals with Disabilities Education Act shall apply and control while the referral is pending and through the evaluation process, including provisions for educational decision-makers and educational surrogates. Nothing in this section shall be construed to deny any child domiciled in Missouri appropriate and necessary free public education services.

3. When the department of social services by contract places a child for treatment in a licensed residential care facility setting for children as defined in section 210.481, RSMo, such facility shall be responsible for the educational needs of the child if the child at the time of placement does not have an individualized education program or a pending referral for special education services under sections 162.670 to 162.999, RSMo.

(1) Such facilities operating an on-site school for which they hire their own education staff shall:

(a) Provide, on site at such facility , a full school day of education for each child placed in such facility by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school; and

(b) Be reimbursed by the local school district for the cost of education services provided to children placed in their care by the department of social services, as approved by the department of elementary and secondary education, when the facility provides education services. The local school district shall be compensated under section 167.126 for such education services.

No child placed in the facilities for treatment described in this subdivision shall be considered by the local school district as homebound for purposes of education unless the family support team under subsection 1 of this section has approved homebound instruction. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subsection shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(2) When such facilities have on-site classrooms but do not hire their own education staff, the local school district:

(a) Shall provide, on site at such facility or at an alternative location agreed upon pursuant to subsection 6 of this section, a full school day of education for each child placed in such facility for care by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school;

(b) Shall be compensated under section 167.126 for such education services as approved by the department of elementary and secondary education; and

(c) May consider such education services as homebound instruction but shall provide each homebound child with a full school day of education unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section.

Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(3) When such facilities do not operate an on-site school or have on-site classrooms, the local school district shall:

(a) Provide a full school day of education for each child placed in such facility for care by the department of social services; and

(b) Be compensated for such education services under section 167.126, as approved by the department of elementary and secondary education.

If the child's behavior or plan of treatment and care does not support the child's being educated in a regular education class, education services shall be provided in an alternative setting approved by the family support team under subsection 1 of this section. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

4. Notwithstanding any other provision of law, a child placed for treatment by the department of social services in a licensed residential care facility setting for children as defined in section 210.481, RSMo, who does not have an individualized education program for special education services or a pending referral for such services under sections 162.670 to 162.999, RSMo, whose plan of treatment and care supports his or her ability to attend public school but who is then suspended or otherwise demonstrates school failure based on behavior or academic performance shall then be provided a full school day of education according to subsection 3 of this section.

5. Nothing in this section shall prevent a licensed residential care facility setting for children as defined in section 210.481, RSMo, from contracting with school districts for education services. Nothing in this section shall prevent a school district from contracting with a licensed residential care facility setting for children as defined in section 210.481, RSMo, for education services.

6. (1) Any residential treatment facility public school district shall work with the district and develop an educational plan that describes in general how and where educational services will be provided to school-aged residents of the treatment facility under a variety of possible circumstances. The educational plan shall be developed jointly by the appropriate staff of both the treatment facility and the public school district, and the plan shall be signed annually by the administration of both parties verifying their support for the plan.

(2) It is the intent that the educational plan follow the provisions of this section, but treatment facilities and school districts may develop provisions for educational services not included in this section if both parties agree on the provisions and if the provisions offer a full-day educational program for the students involved.

(3) It is understood as a condition of the plan that both the treatment facility and school district shall be fully reimbursed, as allowed by law in accordance with the availability of funds, for their portions of the cost of providing educational services through such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources and that a school district shall not be required to provide more total reimbursement to a treatment facility than it receives from all such sources. The local school district shall make all needed requests and applications for such reimbursement.

(4) Each treatment facility and school district shall furnish a signed copy of their educational plan to the department of elementary and secondary education and to the department of social services no later than June 1 of each year.

(5) If the treatment facility and the school district cannot reach an agreement on the education plan under this subsection, the differences shall be resolved by an arbitration panel made up of one representative from the department of elementary and secondary education, one representative from the children's division of the department of social services, and one person appointed by the governor every three years, with the advice and consent of the senate, serving at the pleasure of the governor. A final decision shall be made by August 15. Costs for the arbitration panel shall be shared equally by the treatment facility and the school district."; and

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

Representative Baker (123) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute Amendment No. 1 for House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 1, Line 1 of said amendment, by inserting immediately before said line the following:

'AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 3, Section 161.375, Line 34, by inserting of the following:

"167.121. **1.** If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored unaccredited on two consecutive annual performance reports or provisionally accredited in two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670, RSMo.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020, RSMo. Except for students residing in a K-8 district attending high school in a district under section 167.131, RSMo, the board of the home district shall pay to the virtual school the amount required under section 161.670, RSMo.

(3) Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, 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, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, 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, 2007, shall be invalid and void."; and

Further'; and

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

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce

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Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

Speaker Jetton resumed the Chair.

On motion of Representative Baker (123), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater

Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

On motion of Representative Robb, **House Substitute Amendment No. 1 for House Amendment No. 4, as amended**, was adopted.

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 6, Section 168.021, Line 27, by inserting after the word "by" the following:

"a teacher accrediting entity approved by the state board of education such as"; and

Further amend Line 33, by striking the word "**ABCTE**".

Representative McClanahan offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 6, Section 168.021, Line 27, by inserting immediately after the acronym "**(ABCTE)**" the following:

"and in addition, upon specific approval by the state board of education of such entities, other teacher-accrediting entities"; and

Further amend said bill, section and page, Line 33, by deleting the acronym "**ABCTE**" and inserting in lieu thereof the following:

"nontraditional"; and

Further amend said bill and section, Page 9, Line 112, by deleting the acronym "**ABCTE**" and inserting in lieu thereof the following:

"nontraditional"; and

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

On motion of Representative McClanahan, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt

Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

On motion of Representative Wallace, **HCS SCS SB 64, as amended**, was adopted.

On motion of Representative Wallace, **HCS SCS SB 64, as amended**, was read the third time and passed by the following vote:

AYES: 094

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Haywood
Hobbs	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Kraus	Lembke	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

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ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

Speaker Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 043

Bearden	Brandom	Cooper 120	Cunningham 145	Cunningham 86
Dempsey	Denison	Dixon	Emery	Faith
Fisher	Funderburk	Haywood	Hubbard	Icet
Jones 89	Jones 117	Lembke	Muschany	Nolte
Onder	Pollock	Portwood	Richard	Ruestman
Ruzicka	Sander	Schaaf	Schlottach	Silvey
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Young	Mr Speaker		

NOES: 108

Aull	Baker 25	Baker 123	Bivins	Bland
Bringer	Brown 50	Burnett	Casey	Cooper 155
Cooper 158	Corcoran	Cox	Curls	Darrough
Daus	Davis	Day	Deeken	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Fallert	Fares	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hughes
Hunter	Johnson	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Norr	Oxford	Page	Parson	Pearce
Quinn 7	Quinn 9	Robb	Robinson	Roorda
Rucker	Salva	Sater	Scavuzzo	Schad
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Talboy
Todd	Villa	Vogt	Wallace	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 429 - Crime Prevention and Public Safety

SS SCS SB 616 - Local Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Vice-Chairman Cox reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HCR 45**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 45

WHEREAS, Missouri Sheriff's Offices throughout the State play a vital role in the safety and security of the citizens of this State; and

WHEREAS, it has been the Missouri sheriffs and their deputies who have pursued criminals in this State from Jesse James to Michael Devlin; and

WHEREAS, it is the Missouri sheriffs and their deputies who battle on the frontline of the war on methamphetamine in this State on a daily basis; and

WHEREAS, without the Office of Sheriff, the Judicial System of this great State would cease to function. The Sheriffs of Missouri guarantee the constitutional right of access to the Judicial Court System and the continuance of the Courts by serving criminal and civil processes; and

WHEREAS, the Office of Sheriff has the specific duty to assemble the court and its jury and provide protection for the judges, jurors, attorneys, witnesses, defendants, and all public in attendance of the courts; and

WHEREAS, the office of sheriff, established in Chapter 57 of the Revised Statutes of Missouri and Article V of the Missouri Constitution, has existed in English Common Law for 1,000 years dating back to the 11th Century when William the Conqueror defeated the Angle-Saxons and instituted his own Norman government in England; and

WHEREAS, both under the Anglo-Saxons and the Normans, the King of England appointed a representative called a "reeve" to act on behalf of the King in each shire or county. The "shire reeve" or King's representative in each county became the "sheriff" as the English language evolved over the years; and

WHEREAS, the shire reeve or sheriff was the chief law enforcement officer of each county in the year 1000 A.D. and still has the same function in the State of Missouri in the 21st Century;

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the vital role that the Missouri Sheriff's Offices play in the safety and security of this State today as well as the historical importance that they have played in Missouri history; and

BE IT FURTHER RESOLVED that the Office of Sheriff should exist in perpetuity in every county in Missouri and the City of St. Louis, and no person should sully the long and great contributions that sheriffs have delivered to this State, often at the peril of their own lives or safety.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 369** and **SB 550**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 22**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SB 315**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SS SB 417**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 497**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 833**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1023**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 52**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 150 minutes for debate on Third Reading, evenly divided**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 164 with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 418**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 509**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 513**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 525**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 17, Section 11.400, Line 3 of said page, by inserting immediately after the word "services." the following:

"The appropriations within this section shall not be used for the salary of the deputy division director of Medical Services - Clinical Services Unit and any expense and equipment costs associated with this position."; and

Further amend said bill, same page and section, Line 7, by deleting the number "4,398,530" and inserting in lieu thereof the following number:

"4,319,906"; and

Further amend said bill, same page and section, Line 8, by deleting the number "9,205,463" and inserting in lieu thereof the following number:

"9,126,839"; and

Further amend said bill, same page and section, Line 15, by deleting the number "263.11" and inserting in lieu thereof the following number:

"262.11"; and

Further amend said line, by deleting the number "15,672,140" and inserting in lieu thereof the following number:

"15,514,892"; and

Further amend said bill, Page 17, Line 15, by inserting immediately said line, the following new section:

“Section 11.402. To the Department of Social Services

For the Division of Medical Services

For the purpose of funding the salary of the deputy division director of Medical Services -

Clinical Services Unit

From the General Revenue Fund \$39,312

From Federal Funds \$39,312

For the purpose of funding informational meetings and any costs associated with such meetings, provided that at least one meeting shall be conducted in each congressional district throughout the state, with eligible MO HealthNet participants. Such meetings shall be conducted by the deputy division director of Medical Services - Clinical Services Unit

From General Revenue Fund \$ 5,000

From Federal Funds \$ 5,000

Total (Not to exceed 0.5 FTE) \$78,624”; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 30, as amended**: Senators Nodler, Mayer, Griesheimer, McKenna and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#6 SCS SB 389**, entitled:

An act to repeal sections 160.254, 173.005, 173.200, 173.203, 173.205, 173.210, 173.215, 173.220, 173.225, 173.230, 173.250, 173.355, 173.360, 173.385, 173.425, 173.616, 173.810, 173.813, 173.816, 173.820, 173.825, 173.827, 173.830, and 313.835, RSMo, and to enact in lieu thereof thirty-one new sections relating to higher education, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 26, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Tuesday, April 24, 2007, Page 1286, Line 6, by deleting the numeral "103" and inserting in lieu thereof the numeral "101".

Line 8, by deleting the numeral "105" and inserting in lieu thereof the numeral "103".

Line 13, by deleting the numeral "115" and inserting in lieu thereof the numeral "114".

Page 1294, Line 27, by deleting the numeral "67.997" and inserting in lieu thereof the numeral "67.1003".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 428

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 3.

Review of DNR performance measures.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, April 26, 2007, 8:15 a.m. Hearing Room 5.

Informational presentation from: Missouri Vocational Enterprise,

The Inmate Health/Mental Health Contracts, Probation and Parole Intervention Fee.

Executive session may follow.

CONFERENCE COMMITTEE NOTICE

Thursday, April 26, 2007, Bingham Conference Room, Noon or upon adjournment.

Public hearing to be held on: HCS SB 376

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3, upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 1. CANCELLED

FISCAL REVIEW

Thursday, April 26, 2007, 9:30 a.m. Hearing Room 4.

Committee will consider bills in Fiscal Review.

HEALTH CARE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: SCS SB 4

LOCAL GOVERNMENT

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 701, SB 130, SCS SB 299, SB 334, SB 345, SB 510, SS SCS SB 21

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SS SB 31, SCS SB 313, SCS SB 482

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Thursday, April 26, 2007, 9:30 a.m. House Chamber north gallery.

Executive session will be held on: HB 1272

WAYS AND MEANS

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: SCS SB 86

HOUSE CALENDAR

SIXTY-FOURTH DAY, THURSDAY, APRIL 26, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)

- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough

- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS#6 SCS SB 389

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 406 - Wallace
- 2 HCS SB 416 - Pratt
- 3 SCS SB 302 - Pratt
- 4 HCS SB 25, as amended, HA 2, pending - Franz
- 5 SCS SB 46 - Grisamore
- 6 HCS SB 84 - Franz
- 7 SCS SB 91 - St. Onge
- 8 SB 135 - Kingery
- 9 HCS SCS SB 232 - Cooper (158)
- 10 HCS SCS SB 384, E.C. - Daus
- 11 HCS SCS SB 520 - Hunter
- 12 SB 352 - Ruzicka
- 13 HCS SCS SBs 62 & 41 - Ruestman
- 14 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 15 HCS SB 593 & SCS SB 594 - May
- 16 SB 648 - Kelly
- 17 HCS SB 666 - Grill

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HB 1 - Icet
- 3 SCS HCS HB 2 - Icet
- 4 SCS HCS HB 3 - Icet
- 5 SCS HCS HB 4 - Icet
- 6 SCS HCS HB 5 - Icet
- 7 SCS HCS HB 6 - Icet
- 8 SCS HCS HB 7 - Icet
- 9 SCS HCS HB 8 - Icet
- 10 SCS HCS HB 9 - Icet
- 11 SCS HCS HB 10 - Icet
- 12 SCS HCS HB 11, as amended - Icet
- 13 SCS HCS HB 12 - Icet
- 14 SCS HCS HB 13 - Icet

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson
- 4 HCS SCS SB 308, as amended - Wasson
- 5 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

- HR 1678, (4-12-07, Page 1076) - Jones (117)