JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

SIXTY-FIRST DAY, THURSDAY, APRIL 28, 2016

The House met pursuant to adjournment.

Speaker Pro Tem Hoskins in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Holy Father, protect by the power of Thy name those whom Thou hast given Me, that they may be one. (John 17:11)

Almighty God, Our Creator, we come to You in earnest prayer that You will keep our Show-Me State under Your divine protection; that You will encourage our citizens to live by the laws of love; and that You will help our people to so cultivate a spirit of cooperation that they may learn to live together in peace and without fear or favor.

We cannot and should not all be of the same mind nor can we think or vote alike, but we pray that You will make us one in our loyalty to our State, one in our devotion for public service, and one in our desire for doing the will of the people.

Deliver us from pride, prejudice and intolerance, and from every evil thought or word. By the might of Your spirit within us may we demonstrate in our lives the fruits of our labor and the power of our principles.

And the House says, "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: Rebecca Amann, Isabella Matthews, Jordan Miller, Steven Portell, Zachary Zuber, Gabriel Raymond Corlew, Amaya Dawn Corlew, Elaina Justine Corlew, and Lyla Rose Sullens.

The Journal of the sixtieth day was approved as printed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Allen reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 1414, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HCS HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS HCS HB 1550, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1568, with Senate Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HBs 1646, 2132 & 1621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 1682, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HCS HB 1877, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 1936, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 2030**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 2125**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HB 2355**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 823**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 865 & 866, relating to health care, was taken up by Representative Engler.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Pages 10 through 12, Section 376.1900, Lines 1 through 68, by deleting all of said section and lines from the bill; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 2, Section 338.202, Line 1, by inserting after the word "**law**" the words "**to the contrary**"; and

Further amend said bill, page and section, Line 7, by deleting the word "**physician**" and inserting in lieu thereof the word "**prescriber**"; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 20, Section 379.940, Line 89, by inserting after all of said section and line the following:

"**404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the "Designated Health Care Decision-Maker Act".**

404.1101. As used in Sections 404.1100 to 404.1110, the following terms mean:

(1) "Artificially supplied nutrition and hydration", any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person's nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person's bloodstream or provided subcutaneously;

(2) "Best interests":

(a) Promoting the incapacitated person's right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) "Designated health care decision-maker", the person designated to make health care decisions for a patient under Section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) "Disability" or "disabled" shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term "this chapter" in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) "Health care", a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under Chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) "Health care facility", any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) "Health care provider", any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) "Incapacitated", a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) "Patient", any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) "Physician", a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) "Reasonable medical judgment", a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in Section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with Section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with Chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with Sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under Section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in Section 404.1104 of whom the physician or physician's designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in Subsection 1 of Section 404.1104, a guardian with medical decision-making authority appointed in accordance with Chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with Sections 404.800 to 404.865, the juvenile court under Section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient's personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in Section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in Section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile

court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under Subsection 4 of Section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) Grandparent or adult grandchild;

(6) Niece or nephew or the next nearest other relative of the patient, by consanguinity or affinity;

(7) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(8) Any nonrelative who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(9) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in Subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with Subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under Subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under Section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under Subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under Subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known and not inconsistent with the patient's best interests, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed to the patient's physician or other health care provider that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under Subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in Sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under Chapter 475.

9. Pending the final outcome of proceedings initiated under Subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in Subdivision (2) of Subsection 1 of Section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to Subsection 3 of Section 459.010.

404.1106. If any of the individuals specified in Section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with Sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for the effort to identify, locate, and communicate with such potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in Section 459.025.

404.1110. Nothing in Sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by Sections 404.1100 to 404.1110."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**96.192. 1. The board of trustees of any hospital authorized under Subsection 2 of this section, and established and organized under the provisions of Sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital's funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.**

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.

167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that **[**an immunization**] immunizations** against meningococcal disease **[**is**] are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness**, including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices**; **[**and**]**

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider**; and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention,** unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education.

197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by Sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to Sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under Chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of**:**

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility**; or**

(2) Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.

198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined."; and

Further amend said bill, Page 2, Section 338.075, Line 27, by inserting after all of said section and line the following:

"338.200. 1. In the event a pharmacist is unable to obtain refill authorization from the prescriber due to death, incapacity, or when the pharmacist is unable to obtain refill authorization from the prescriber, a pharmacist may dispense an emergency supply of medication if:

(1) In the pharmacist's professional judgment, interruption of therapy might reasonably produce undesirable health consequences;

(2) The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;

(3) The medication dispensed is not a controlled substance;

(4) The pharmacist informs the patient or the patient's agent either verbally, electronically, or in writing at the time of dispensing that authorization of a prescriber is required for future refills; and

(5) The pharmacist documents the emergency dispensing in the patient's prescription record, as provided by the board by rule.

2. (1) If the pharmacist is unable to obtain refill authorization from the prescriber, the amount dispensed shall be limited to the amount determined by the pharmacist within his or her professional judgment as needed for the emergency period, provided the amount dispensed shall not exceed a seven-day supply.

(2) In the event of prescriber death or incapacity or inability of the prescriber to provide medical services, the amount dispensed shall not exceed a thirty-day supply.

3. Pharmacists or permit holders dispensing an emergency supply pursuant to this section shall promptly notify the prescriber or the prescriber's office of the emergency dispensing, as required by the board by rule.

4. An emergency supply may not be dispensed pursuant to this section if the pharmacist has knowledge that the prescriber has otherwise prohibited or restricted emergency dispensing for the applicable patient.

5. **The determination to dispense an emergency supply of medication under this section shall only be made by a pharmacist licensed by the board.**

6. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in Section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of Chapter 536 and, if applicable, Section 536.028. This section and Chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to Chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill and page, Section 338.202, Line 1, by inserting after the word "**law**" the words "**to the contrary**"; and

Further amend said bill, page and section, Line 7, by deleting the word "**physician**" and inserting in lieu thereof the word "**prescriber**"; and

Further amend said bill, Page 20, Section 379.940, Line 89, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the repeal and reenactment of Section 197.315 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of Section 197.315 of Section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 3, Line 44, by deleting all of said line and inserting in lieu thereof the following:

"**declined.**

205.165. 1. The board of trustees of any hospital authorized under Subsection 1 of this section and organized under the provisions of Sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.

2. The provisions of this section shall only apply if the hospital:

(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and

(2) Receives less than one percent of its annual revenues from county or state taxes."; and"; and

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

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 9, Section 376.465, Line 107, by inserting after all of said line the following:

"**376.525 The highest rate that a health care provider shall accept as payment in full for health care services from an uninsured individual or an individual not utilizing insurance to pay for such services shall be no greater than the lowest rate that the provider accepts from a health carrier or Medicare as payment in full for the same or similar health care services.**"; and

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

Representative Eggleston moved that **House Amendment No. 5** be adopted.

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

AYES: 024

Andrews	Basye	Bernskoetter	Black	Brown 94
Carpenter	Chipman	Colona	Cookson	Eggleston
Fitzwater 49	Fraker	Hicks	Johnson	Kendrick
Kidd	Kratky	Love	McDaniel	Pietzman
Redmon	Roden	Roeber	Runions	

NOES: 122

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Beard	Berry	Bondon
Brattin	Burlison	Burns	Butler	Cierpiot
Conway 10	Conway 104	Corlew	Cornejo	Crawford
Cross	Davis	Dogan	Dugger	Dunn

Ellington	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Flanigan	Franklin	Frederick	Gannon	Gardner
Green	Haahr	Haefner	Hansen	Harris
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Hurst	Jones
Justus	Kelley	King	Kirkton	Korman
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Lynch	Marshall	Mathews
May	McCann Beatty	McCreery	McDonald	McGaugh
McGee	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Plocher	Pogue	Reiboldt
Remole	Rhoads	Rizzo	Rone	Ross
Rowden	Rowland 29	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

PRESENT: 004

Brown 57	English	Higdon	Kolkmeyer

ABSENT WITH LEAVE: 012

Allen	Barnes	Curtis	Curtman	Dohrman
Koenig	McCaherty	Otto	Parkinson	Rehder
Rowland 155	Smith			

VACANCIES: 001

Representative Cornejo offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said line the following:

"**191.1075. As used in Sections 191.1075 to 191.1085, the following terms shall mean:**

(1) "Department", the department of health and senior services;

(2) "Health care professional", a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) "Hospital":

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. "Hospital" does not include convalescent, nursing, shelter, or boarding homes as defined in Chapter 198.

191.1080. 1. There is hereby created within the department the "Missouri Palliative Care and Quality of Life Interdisciplinary Council", which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate; and

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in Section 191.1085.

6. The council shall submit an annual report to the general assembly, which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the "Palliative Care Consumer and Professional Information and Education Program" within the department.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities including, but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council established in Section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of Sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in Section 536.010, that is created under the authority delegated in Sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of Chapter 536 and, if applicable, Section 536.028. Sections 191.1075 to

191.1085 and Chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to Chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Notwithstanding the provisions of Section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022."; and

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

On motion of Representative Cornejo, **House Amendment No. 6** was adopted.

Representative Swan offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**195.430. 1. There is hereby established in the state treasury the "Controlled Substance Abuse Prevention Fund", which shall consist of all fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with Sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. Notwithstanding the provisions of Section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

2. All fees authorized to be charged by the department shall be transmitted to the department of revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and to prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.

195.435. The bureau of narcotics and dangerous drugs shall employ no less than one investigator for every two thousand five hundred controlled substance registrants."; and

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

On motion of Representative Swan, **House Amendment No. 7** was adopted.

Representative Fitzpatrick offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said line the following:

"**208.1030. 1. An eligible provider, as described in Subsection 2 of this section, may, in addition to the rate of payment that the provider would otherwise receive for Medicaid ground emergency medical transportation services, receive MO HealthNet supplemental reimbursement to the extent provided by law.**

2. A provider shall be eligible for Medicaid supplemental reimbursement if the provider meets the following characteristics during the state reporting period:

(1) Provides ground emergency medical transportation services to MO HealthNet participants;

(2) Is enrolled as a MO HealthNet provider for the period being claimed; and

(3) Is owned, operated, or contracted by the state or a political subdivision.

3. An eligible provider's Medicaid supplemental reimbursement under this section shall be calculated and paid as follows:

(1) The supplemental reimbursement to an eligible provider, as described in Subsection 2 of this section, shall be equal to the amount of federal financial participation received as a result of the claims submitted under subdivision (2) of Subsection 6 of this section;

(2) In no instance shall the amount certified under subdivision (1) of Subsection 5 of this section, when combined with the amount received from all other sources of reimbursement from the MO HealthNet program, exceed one hundred percent of actual costs, as determined under the Medicaid state plan for ground emergency medical transportation services; and

(3) The supplemental Medicaid reimbursement provided by this section shall be distributed exclusively to eligible providers under a payment methodology based on ground emergency medical transportation services provided to MO HealthNet participants by eligible providers on a per-transport basis or other federally permissible basis. The department of social services shall obtain approval from the Centers for Medicare and Medicaid Services for the payment methodology to be utilized and shall not make any payment under this section prior to obtaining that approval.

4. An eligible provider, as a condition of receiving supplemental reimbursement under this section, shall enter into and maintain an agreement with the department's designee for the purposes of implementing this section and reimbursing the department of social services for the costs of administering this section. The non-federal share of the supplemental reimbursement submitted to the Centers for Medicare and Medicaid Services for purposes of claiming federal financial participation shall be paid with funds from the governmental entities described in subdivision (3) of Subsection 2 of this section and certified to the state as provided in Subsection 5 of this section.

5. Participation in the program by an eligible provider described in this section is voluntary. If an applicable governmental entity elects to seek supplemental reimbursement under this section on behalf of an eligible provider owned or operated by the entity, as described in subdivision (3) of Subsection 2 of this section, the governmental entity shall do the following:

(1) Certify in conformity with the requirements of 42 CFR 433.51 that the claimed expenditures for the ground emergency medical transportation services are eligible for federal financial participation;

(2) Provide evidence supporting the certification as specified by the department of social services;

(3) Submit data as specified by the department of social services to determine the appropriate amounts to claim as expenditures qualifying for federal financial participation; and

(4) Keep, maintain, and have readily retrievable any records specified by the department of social services to fully disclose reimbursement amounts to which the eligible provider is entitled and any other records required by the Centers for Medicare and Medicaid Services.

6. The department of social services shall be authorized to seek any necessary federal approvals for the implementation of this section. The department may limit the program to those costs that are allowable expenditures under Title XIX of the Social Security Act, 42 U.S.C. Section 1396, et seq.

(1) The department of social services shall submit claims for federal financial participation for the expenditures for the services described in Subsection 5 of this section that are allowable expenditures under federal law.

(2) The department of social services shall, on an annual basis, submit any necessary materials to the federal government to provide assurances that claims for federal financial participation shall include only those expenditures that are allowable under federal law.

208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in Subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced

EMT, EMT intermediate, or paramedic levels in the pre-stabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

(1) Provides ground emergency medical transport services to MO HealthNet managed care participants pursuant to a contract or other arrangement with MO HealthNet or a MO HealthNet managed care plan; and

(2) Is owned, operated, or contracted by the state or a political subdivision.

3. To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in Subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(1) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(2) Except as provided in Subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(3) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and pre-stabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in Subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in Subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements."; and

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

On motion of Representative Fitzpatrick, **House Amendment No. 8** was adopted.

Representative Burlison offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

"334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days**. In performing the review, the collaborating physician need not be present at the health care practitioner's site**; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under Section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, nor to collaborative arrangements between a physician and an assistant physician, if the collaborative physician is new to a patient population to which the collaborating assistant physician is already familiar**.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in Section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of Section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under Section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of Section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in Section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of Section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of Section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days**. In performing the review, the collaborating physician need not be present at the health care practitioner's site**; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to Section 334.125 and the board of nursing pursuant to Section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of Section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of Section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of Section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in Chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, nor to collaborative arrangements between a physician and an advanced practice registered nurse, if the collaborative physician is new to a patient population to which the collaborating advanced practice registered nurse, physician assistant, or assistant physician is already familiar**.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in Section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

334.735. 1. As used in Sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;

(5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of Sections 334.735 to 334.749;

(8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in Subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to Chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of Subsection 1 of this section, where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with Section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in Section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to Chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by Section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of Chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present. **This limitation shall not apply to supervision agreements between a licensed physician assistant and a physician if the supervising physician is new to a patient population to which the licensed physician assistant is already familiar.**

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in Chapter 197."; and

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

On motion of Representative Burlison, **House Amendment No. 9** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Davis	Dogan
Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 038

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellington

Gardner	Green	Harris	Hubbard	Kendrick
Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Montecillo	Morgan	Nichols	Norr
Pace	Peters	Pierson	Rizzo	Rowland 29
Runions	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Barnes	Conway 10	Curtman	Dohrman
Hummel	Kirkton	Mitten	Newman	Otto
Parkinson	Pfautsch	Rehder	Reiboldt	Rowland 155
Smith				

VACANCIES: 001

On motion of Representative Engler, **HCS SS SCS SBs 865 & 866, as amended**, was adopted.

On motion of Representative Engler, **HCS SS SCS SBs 865 & 866, as amended**, was read the third time and passed by the following vote:

AYES: 119

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Burns	Carpenter	Chipman
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Davis
Dogan	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Johnson	Jones	Justus
Kelley	Kendrick	King	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	May
McCaherty	McGaugh	McNeil	Messenger	Mims
Morgan	Morris	Muntzel	Neely	Pace
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 030

Arthur	Butler	Curtis	Dunn	Ellington
Gardner	Hurst	Kidd	Kirkton	LaFaver

Lavender	Marshall	McCann Beatty	McCreery	McDaniel
McDonald	McGee	Meredith	Montecillo	Moon
Newman	Nichols	Norr	Parkinson	Peters
Pierson	Pogue	Rizzo	Rowland 29	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Barnes	Curtman	Dohrman	Dugger
Hummel	Leara	Miller	Mitten	Otto
Rehder	Rowland 155	Smith		

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Burlison	Burns	Butler	Carpenter
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Davis	Dogan	Dunn	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McGaugh	McGee	McNeil	Messenger	Miller
Mims	Mitten	Morgan	Morris	Muntzel
Neely	Nichols	Norr	Pfautsch	Phillips
Pierson	Pietzman	Pike	Plocher	Redmon
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Runions	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 024

Brown 94	Curtis	Eggleston	Ellington	Gardner
Kendrick	Kirkton	Marshall	May	McCann Beatty
McCreery	McDaniel	McDonald	Montecillo	Moon
Newman	Pace	Parkinson	Peters	Pogue
Rizzo	Rowland 29	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Barnes	Curtman	Dohrman	Dugger
Fraker	Meredith	Otto	Rehder	Rowland 155
Smith				

VACANCIES: 001

Speaker Richardson assumed the Chair.

HCS SS SCS SB 572, relating to municipalities, was taken up by Representative Cornejo.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Pages 4-5, Section 67.398, Lines 1-37, by deleting all of said section and lines and inserting in lieu thereof the following;

"67.398. 1. The governing body of any city or village, or any county having a charter form of government, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of a nuisance including, but not limited to, debris of any kind, weed cuttings, cut, fallen, or hazardous trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe and declared to be a public nuisance.

2. The governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may enact ordinances for the abatement of a condition of any lot or land that has vacant buildings or structures open to entry.

3. **[**Any ordinance authorized by this section may provide that if the owner fails to begin removing or abating the nuisance within a specific time which shall not be less than seven days of receiving notice that the nuisance has been ordered removed or abated, or upon**] Any ordinance authorized by this section shall provide for service to the owner of the property and, if the property is not owner-occupied, to any occupant of the property of a written notice specifically describing each condition of the lot or land declared to be a public nuisance, and which notice shall identify what action will remedy the public nuisance. Unless a condition presents an immediate, specifically identified risk to the public health or safety, the notice shall provide a reasonable time, not less than ten days, in which to abate or commence removal of each condition identified in the notice. Written notice may be given by personal service or by first-class mail to both the occupant of the property at the property address and the owner at the last known address of the owner, if not the same. Upon a** failure **of the owner** to pursue the removal or abatement of such nuisance without unnecessary delay, the building commissioner or designated officer may cause the condition which constitutes the nuisance to be removed or abated. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal or abatement **and the proof of notice to the owner of the property** shall be certified to the city clerk or officer in charge of finance who shall cause the certified cost to be included in **[**a special tax bill or added to**]** the annual real estate tax bill**[**, at the collecting official's option,**]** for the property and the certified cost shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property **from the date the tax bill is delinquent** until paid.

67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; and

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in **[**a special tax bill or added to**]** the annual real estate tax bill**[**, at the county collector's option,**]** for the property and the certified cost shall be collected by the county collector in the same

manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property **from the date the tax bill is delinquent** until paid. +

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.

67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or **property** nuisance ordinances may **[**issue a special tax bill against**]** **include any unrecovered costs or fines relating to the real property in the annual real estate tax bill for** the property where such ordinance violations existed. **Notwithstanding the last sentence of subsection 5 of Section 479.011,** the officer in charge of finance shall cause the amount of unrecovered costs **or unpaid fines which are delinquent for more than a year** to be **[**included in a special tax bill or**]** added to the annual real estate tax bill for the property **if such property is still owned by the person incurring the costs or fines [**at the collecting official's option,**]** and the costs **and fines** shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the **[**cost is**] costs and fines are** not paid **by December 31 of the year in which the costs and fines are included in the tax bill**, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property **from the date the tax bill becomes delinquent** until paid. Notwithstanding any provision of the city's charter to the contrary, the city may provide, by ordinance, that the city may discharge **all or any portion of the unrecovered costs or fines added pursuant to this section to** the **[**special**]** tax bill upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the **[**special**]** tax bill."; and

Further amend said bill, Section 479.350, Page 10, Lines 14-15, by deleting all of said lines and inserting in lieu thereof the following:

"**certified costs, not including fines, added to the annual real estate tax bill under Section 67.398, 67.402, or 67.451;**"; and

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

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

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 4, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"bill.

67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; **[**and**]**

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants**;**

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants;

(12) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same

manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration."; and"; and

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

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten

thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat**. The commercial zone described in this subdivision shall be extended east from the intersection of State Route 7 and U.S. Highway 50 to include the city limits of a city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and from the eastern limits of said city east along U.S. Highway 50 up to and including the intersection of U.S. Highway 50 and State Route AA, then south along State Route AA up to and including the intersection of State Route AA and State Route 58, then west along State Route 58 to include the city limits of a city of the fourth classification with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, and from the western limits of said city along State Route 58 to where State Route 58 intersects with State Route 7**;

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants and located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants shall extend north from the city limits along U.S. Highway 63, a state highway, to the intersection of State Route NN, and shall continue west and south along State Route NN to the intersection of State Route 124, and shall extend east from the intersection along State Route 124 to U.S. Highway 63. The commercial zone described in this subdivision shall also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 5, Section 67.398, Line 37, by inserting after all of said section and line the following:

"**67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or any city within such county may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.**

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall ..... (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and Sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Early Childhood Education Sales Tax Trust Fund" and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under Section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the

county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions under Sections 144.010 to 144.525 governing the state sales tax, and Section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under Sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required under Sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided under Section 32.057 and Sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided under Sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the county or city) repeal the sales tax imposed at a rate of ..... (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the

governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. Notwithstanding any other provision of law, any tax authorized under the provisions of this section shall be submitted to the voters of the taxing jurisdiction for retention or repeal every five years using the same procedure by which the imposition of the tax was voted. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are in favor of retention, the tax shall continue in effect. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are not in favor of retention, the tax shall be repealed and that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved."; and

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

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

HCS SS SCS SB 572, as amended, was laid over.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 1763** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS SCS HCS HB 1979** and **CCS#2 SS SCS HB 2203** were delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILLS

HCS SS SCS SB 572, as amended, relating to municipalities, was again taken up by Representative Cornejo.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of Sections 210.104, 577.070, and 577.073, and Chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to Section 479.040; and for traffic court divisions established pursuant to Section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or **[**ordinance**] the Missouri Fine Collection Center** for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

(1) Any violation resulting in personal injury or property damage to another person;

(2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;

(3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;

(4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of Section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance either online or in person at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by Sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by Section 544.665; and may be subject to suspension of driving privileges in the manner provided by Section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of Section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to Section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by Section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by Sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section."; and

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

Representative Roden moved that **House Amendment No. 4** be adopted.

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

AYES: 058

Allen	Austin	Berry	Black	Brown 94
Cierpiot	Conway 104	Cookson	Corlew	Cornejo
Curtis	Entlicher	Fitzpatrick	Fitzwater 144	Fraker
Frederick	Haahr	Haefner	Hansen	Harris
Higdon	Hoskins	Houghton	Hummel	Johnson
Justus	Kolkmeyer	Korman	Lair	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Neely
Parkinson	Phillips	Plocher	Redmon	Rehder
Rhoads	Roden	Rone	Ross	Ruth
Shull	Sommer	Spencer	Taylor 145	Walker
Wilson	Zerr	Mr. Speaker		

NOES: 087

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Bahr	Beard	Bondon	Brattin
Brown 57	Burlison	Burns	Butler	Carpenter
Chipman	Colona	Conway 10	Crawford	Cross
Curtman	Davis	Dugger	Dunn	Eggleston
Ellington	Engler	English	Fitzwater 49	Gannon
Gardner	Green	Hill	Hubbard	Hubrecht
Hurst	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kratky	LaFaver	Lant
Lauer	Lavender	Leara	Lichtenegger	Marshall
May	McCann Beatty	McCreery	McDonald	McGee
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Muntzel	Newman	Nichols	Norr
Pace	Peters	Pfautsch	Pierson	Pike
Pogue	Reiboldt	Remole	Rizzo	Roeber
Rowden	Rowland 29	Shaul	Shumake	Solon
Swan	Taylor 139	Walton Gray	Webber	White
Wiemann	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Basye	Bernskoetter	Dogan	Dohrman
Flanigan	Franklin	Hicks	Hinson	Hough
Jones	Otto	Pietzman	Rowland 155	Runions
Smith	Vescovo			

VACANCIES: 001

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

"**321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under Sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.**

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in Section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

4. This section shall not apply to any fire protection district to which Section 72.418 applies."; and

Further amend said bill, Page 16, Section 479.368, Line 83, by inserting after all of said section and line the following:

"527.130. The word "person", wherever used in Sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society**, fire protection district,** or municipal or other corporation of any character whatsoever."; and

Further amend said bill and page, Section 1, Line 10, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of Section 321.315 and the repeal and reenactment of Section 527.130 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of Section 321.315 and the repeal and reenactment of Section 527.130 of Section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Davis offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to

create a museum and cultural district pursuant to the provisions of Sections 184.800 to 184.880 shall be filed within **[**five**] ten** years after the Presidential declaration establishing the disaster area.

2. The proposed district area may contain one or more parcels of real property, which may or may not be contiguous and may further include any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums and cultural asset or cultural assets and a general plan for operation of each museum and each cultural asset within the district; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is"; and

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

Representative Taylor (145) assumed the Chair.

On motion of Representative Davis, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Brattin, **House Amendment No. 5, as amended**, was adopted.

Representative Fitzwater (49) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

"476.083. 1. In addition to any appointments made pursuant to Section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates **or containing, as of January 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under Chapter 552 and provides sex offender rehabilitation and treatment services (SORTS)** may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

(1) Serve process;

(2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit."; and

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

On motion of Representative Fitzwater (49), **House Amendment No. 6** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dugger	Eggleston	Engler	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pike
Plocher	Pogue	Rehder	Reiboldt	Remole
Roden	Roeber	Rone	Ross	Rowden
Ruth	Shaul	Shull	Shumake	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Walker
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 042

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald
McGee	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Pace	Peters	Pierson	Rizzo	Rowland 29
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Alferman	Barnes	Dohrman	English	Flanigan
Otto	Pietzman	Redmon	Rhoads	Rowland 155
Runions	Smith	Solon	Vescovo	Zerr

VACANCIES: 001

On motion of Representative Cornejo, **HCS SS SCS SB 572, as amended**, was adopted.

On motion of Representative Cornejo, **HCS SS SCS SB 572, as amended**, was read the third time and passed by the following vote:

AYES: 094

Adams	Alferman	Allen	Anderson	Andrews
Austin	Bahr	Basye	Beard	Bernskoetter
Berry	Black	Brattin	Brown 94	Burns
Butler	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Cross
Curtman	Davis	Dogan	Eggleston	Ellington
Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haahr
Haefner	Hansen	Harris	Hicks	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeyer	Kratky	Lair
Lant	Lauer	Leara	Love	Mathews
McCaherty	McCann Beatty	McGaugh	Messenger	Morris
Muntzel	Neely	Parkinson	Phillips	Pike
Plocher	Redmon	Reiboldt	Remole	Roden
Roeber	Rone	Shull	Shumake	Solon
Sommer	Spencer	Taylor 139	Taylor 145	Walker
Wiemann	Wilson	Zerr	Mr. Speaker	

NOES: 057

Anders	Arthur	Bondon	Brown 57	Burlison
Carpenter	Crawford	Curtis	Dugger	Dunn
English	Entlicher	Gardner	Green	Higdon
Hubbard	Hummel	Hurst	Kendrick	Kirkton
Korman	LaFaver	Lavender	Lichtenegger	Lynch
Marshall	May	McCreery	McDaniel	McDonald
McGee	McNeil	Meredith	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Newman
Nichols	Norr	Pace	Pfautsch	Pierson
Pogue	Rehder	Rhoads	Rizzo	Ross
Rowden	Rowland 29	Ruth	Walton Gray	Webber
White	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Dohrman	Otto	Peters	Pietzman
Rowland 155	Runions	Shaul	Smith	Swan
Vescovo				

VACANCIES: 001

Representative Taylor (145) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Alferman	Allen	Anders	Anderson	Andrews
Austin	Bahr	Basye	Beard	Bernskoetter
Black	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtman	Davis	Dogan	Eggleston
Ellington	English	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Haahr
Haefner	Hansen	Hicks	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Johnson
Jones	Justus	Kelley	King	Koenig
Kolkmeyer	Korman	Lair	Lant	Leara
Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Phillips	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Shaul	Shull	Solon
Sommer	Spencer	Taylor 139	Taylor 145	Walker
White	Wiemann	Mr. Speaker		

NOES: 061

Adams	Arthur	Berry	Bondon	Brown 57
Burns	Butler	Carpenter	Colona	Conway 10
Crawford	Curtis	Dunn	Entlicher	Gannon
Gardner	Green	Harris	Higdon	Hubbard
Hummel	Hurst	Kendrick	Kidd	Kirkton
Kratky	LaFaver	Lavender	Marshall	May
McCann Beatty	McCreery	McDonald	McGee	McNeil
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Newman	Nichols	Norr	Pace
Parkinson	Peters	Pfautsch	Pierson	Pike
Pogue	Rizzo	Rowden	Rowland 29	Ruth
Shumake	Swan	Walton Gray	Webber	Wilson
Wood				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Dohrman	Dugger	Engler	Lauer
Lichtenegger	Otto	Pietzman	Rowland 155	Runions
Smith	Vescovo	Zerr		

VACANCIES: 001

Speaker Richardson resumed the Chair.

HCS SB 665, relating to agriculture, was taken up by Representative Reiboldt.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 665, Page 9, Section 261.235, Line 86, by inserting after all of said section and line the following:

"262.960. 1. This section shall be known and may be cited as the "**[**Farm-to-School**] Farm-to-Table** Act".

2. There is hereby created within the department of agriculture the "**[**Farm-to-School**] Farm-to-Table** Program" to connect Missouri farmers and **[**schools**] institutions** in order to provide **[**schools**] institutions** with locally grown agricultural products for inclusion in **[**school**]** meals and snacks and to strengthen local farming economies. **The department shall establish guidelines for voluntary participation and parameters for program goals, which shall include, but not be limited to, participating institutions purchasing at least ten percent of their food products locally by December 31, 2019.** The department shall designate an employee to administer and monitor the **[**farm-to-school**] farm-to-table** program and to serve as liaison between Missouri farmers and **[**schools**] institutions. Nothing in this section, nor the guidelines developed by the department, shall require an institution to participate in the farm-to-table program**.

3. The following agencies shall make staff available to the Missouri **[**farm-to-school**] farm-to-table** program for the purpose of providing professional consultation and staff support to assist the implementation of this section:

(1) The department of health and senior services;

(2) The department of elementary and secondary education; **[**and**]**

(3) The office of administration**; and**

(4) The department of corrections.

4. The duties of the department employee coordinating the **[**farm-to-school**] farm-to-table** program shall include, but not be limited to:

(1) Establishing and maintaining a website database to allow farmers and **[**schools**] institutions** to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;

(2) Providing leadership at the state level to encourage **[**schools**] institutions** to procure and use locally grown agricultural products;

(3) Conducting workshops and training sessions and providing technical assistance to **[**school**] institution** food service directors, personnel, farmers, and produce distributors and processors regarding the **[**farm-to-school**] farm-to-table** program; and

(4) Seeking grants, private donations, or other funding sources to support the **[**farm-to-school**] farm-to-table** program.

262.962. 1. As used in this section, Section 262.960, and Subsection 5 of Section 348.407, the following terms shall mean:

(1) **"Institutions", facilities including, but not limited to, schools, correctional facilities, hospitals, nursing homes, long-term care facilities, and military bases;**

(2) "Locally grown agricultural products", food or fiber produced or processed by a small agribusiness or small farm;

[(2)**] (3) "Participating institutions", institutions that voluntarily elect to participate in the farm-to-table program;**

(4) "Schools", includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;

[(3)**] (5)** "Small agribusiness", a qualifying agribusiness as defined in Section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

[(4)**] (6)** "Small farm", a family-owned farm or family farm corporation as defined in Section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

2. There is hereby created a taskforce under the AgriMissouri **marketing** program established in Section 261.230, which shall be known as the "**[**Farm-to-School**] Farm-to-Table** Taskforce". The taskforce shall be made up of at least one representative from each of the following **[**agencies**]**: the University of Missouri extension service,

the department of agriculture, **the department of corrections, the department of health and senior services,** the department of elementary and secondary education, **[**and**]** the office of administration**, and a representative from one of the military bases in the state**. In addition, the director of the department of agriculture shall appoint **[**two persons**] one person** actively engaged in the practice of small agribusiness. In addition, the **[**director of the department of elementary and secondary**] commissioner of** education shall appoint **[**two persons**] one person** from **[**schools**] a school** within the state who **[**direct**] directs** a food service program. **The director of the department of corrections shall appoint one person employed as a correctional facility food service director. The director of the department of health and senior services shall appoint one person employed as a hospital or nursing home food service director. The director of the department of agriculture shall appoint one person who is a registered dietician under Section 324.200.** One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow **[**schools**] institutions** to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow **[**schools**] institutions** to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of **[**schools**] institutions** within the state to identify standardized language that could be included in such contracts to allow **[**schools**] institutions** to more easily procure and use locally grown agricultural products.

5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each **[**agency**] entity** represented on the taskforce **[**by no later than December 31, 2015**] no later than December thirty-first of each year**.

6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

7. **Nothing in** this section shall **[**expire on December 31, 2015**] require an institution to participate in the farm-to-table program, and the department shall not establish guidelines or promulgate rules that require institutions to participate in such program**.

348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in **[**schools**] institutions, as defined in Section 262.962,** within the state.

6. The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

8. Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

9. The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least

amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

10. The authority may provide for consulting services in the building of the physical facilities of the business.

11. The authority may provide for consulting services in the operation of the business.

12. The authority may provide for such services through employees of the state or by contracting with private entities.

13. The authority may consider the following in making the decision:

(1) The applicant's commitment to the project through the applicant's risk;

(2) Community involvement and support;

(3) The phase the project is in on an annual basis;

(4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The project's planning for long-term success through feasibility studies, marketing plans**,** and business plans.

14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

15. The authority may charge fees for the provision of any service pursuant to this section.

16. The authority may adopt rules to implement the provisions of this section.

17. Any rule or portion of a rule, as that term is defined in Section 536.010, that is created under the authority delegated in Sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of Chapter 536 and, if applicable, Section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and Chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to Chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

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

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

On motion of Representative Reiboldt, **HCS SB 665, as amended**, was adopted.

On motion of Representative Reiboldt, **HCS SB 665, as amended**, was read the third time and passed by the following vote:

AYES: 117

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brown 57
Brown 94	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Corlew	Cornejo
Crawford	Cross	Dogan	Dugger	Dunn
Eggleston	English	Entlicher	Fitzwater 144	Fraker
Franklin	Gannon	Gardner	Green	Haahr
Haefner	Hansen	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Jones	Justus	Kelley	Kendrick
King	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara

Lichtenegger	Love	Lynch	May	McCaherty
McCann Beatty	McCreery	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Morgan	Morris	Muntzel	Neely	Nichols
Norr	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Plocher	Redmon	Reiboldt
Remole	Rhoads	Rizzo	Roeber	Rone
Rowden	Rowland 29	Ruth	Shaul	Shull
Solon	Sommer	Spencer	Swan	Taylor 145
Walker	Walton Gray	Webber	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 029

Bahr	Brattin	Burlison	Chipman	Curtis
Curtman	Ellington	Fitzpatrick	Fitzwater 49	Frederick
Hill	Hurst	Johnson	Kidd	Kirkton
Koenig	Marshall	Mathews	McDaniel	Montecillo
Moon	Newman	Pietzman	Pogue	Rehder
Ross	Taylor 139	White	Wiemann	

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Conway 104	Davis	Dohrman	Engler
Flanigan	Hicks	McDonald	Otto	Parkinson
Roden	Rowland 155	Runions	Shumake	Smith
Vescovo				

VACANCIES: 001

Speaker Richardson declared the bill passed.

HCS SB 994, relating to alcohol, was taken up by Representative Alferman.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 311.373, Lines 1-3, by deleting all of said section and lines from the bill; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said line the following:

"311.060. 1. No person shall be granted a license hereunder unless such person is of good moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or village, nor shall any corporation be granted a license hereunder unless the managing officer of such corporation is of good moral character and a qualified legal voter and taxpaying citizen of the county, town, city or village; and**, except as otherwise provided under Subsection 7 of this section,** no person shall be granted a license or permit hereunder whose license as such dealer has been revoked, or who has been convicted, since the ratification of the twenty-first amendment to the Constitution of the United States, of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who employs in his or her business as such dealer any person whose license has been revoked **unless five years have passed since the revocation as provided under Subsection 6 of this section,** or who has been convicted of violating such law since the date aforesaid; provided, that nothing in this section contained shall prevent the issuance of licenses to nonresidents of Missouri or foreign corporations for the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquors to, by or through a duly licensed wholesaler, within this state.

2. (1) No person, partnership or corporation shall be qualified for a license under this law if such person, any member of such partnership, or such corporation, or any officer, director, or any stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of the stock of such corporation, or other financial interest therein, or ten percent or more of the interest in the business for which the person, partnership or corporation is licensed, or any person employed in the business licensed under this law shall have had a license revoked under this law **except as otherwise provided under Subsections 6 and 7 of this section,** or shall have been convicted of violating the provisions of any law applicable to the manufacture or sale of intoxicating liquor since the ratification of the twenty-first amendment to the Constitution of the United States, or shall not be a person of good moral character.

(2) No license issued under this chapter shall be denied, suspended, revoked or otherwise affected based solely on the fact that an employee of the licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor. Each employer shall report the identity of any employee convicted of a felony to the division of liquor control. The division of liquor control shall promulgate rules to enforce the provisions of this subdivision.

(3) No wholesaler license shall be issued to a corporation for the sale of intoxicating liquor containing alcohol in excess of five percent by weight, except to a resident corporation as defined in this section.

3. A "resident corporation" is defined to be a corporation incorporated under the laws of this state, all the officers and directors of which, and all the stockholders, who legally and beneficially own or control sixty percent or more of the stock in amount and in voting rights, shall be qualified legal voters and taxpaying citizens of the county and municipality in which they reside and who shall have been bona fide residents of the state for a period of three years continuously immediately prior to the date of filing of application for a license, provided that a stockholder need not be a voter or a taxpayer, and all the resident stockholders of which shall own, legally and beneficially, at least sixty percent of all the financial interest in the business to be licensed under this law; provided, that no corporation, licensed under the provisions of this law on January 1, 1947, nor any corporation succeeding to the business of a corporation licensed on January 1, 1947, as a result of a tax-free reorganization coming within the provisions of Section 112, United States Internal Revenue Code, shall be disqualified by reason of the new requirements herein, except corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight, or owned or controlled, directly or indirectly, by nonresident persons, partnerships or corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight.

4. The term "financial interest" as used in this chapter is defined to mean all interest, legal or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such interest in the net profits of the enterprise, after the payment of reasonable and necessary operating business expenses and taxes, including interest in dividends, preferred dividends, interest and profits, directly or indirectly paid as compensation for, or in consideration of interest in, or for use of, the capital devoted to the enterprise, or for property or money advanced, loaned or otherwise made available to the enterprise, except by way of ordinary commercial credit or bona fide bank credit not in excess of credit customarily granted by banking institutions, whether paid as dividends, interest or profits, or in the guise of royalties, commissions, salaries, or any other form whatsoever.

5. The supervisor shall by regulation require all applicants for licenses to file written statements, under oath, containing the information reasonably required to administer this section. Statements by applicants for licenses as wholesalers and retailers shall set out, with other information required, full information concerning the residence of all persons financially interested in the business to be licensed as required by regulation. All material changes in the information filed shall be promptly reported to the supervisor.

6. Any person whose license or permit issued under this chapter has been revoked shall be automatically eligible to work as an employee of an establishment holding a license or permit under this chapter five years after the date of the revocation.

7. Any person whose license or permit issued under this chapter has been revoked shall be eligible to apply and be qualified for a new license or permit five years after the date of the revocation. The person may be issued a new license or permit at the discretion of the division of alcohol and tobacco control. If the division denies the request for a new permit or license, the person may not submit a new application for five years from the date of the denial. If the application is approved, the person shall pay all fees required by law for the license or permit. Any person whose request for a new license or permit is denied may seek a determination by the administrative hearing commission as provided under Section 311.691."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said section and line the following:

"311.091. 1. Except as provided under Subsection 2 of this section and notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of alcohol and tobacco control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry **[**one hundred**] thirty** or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. **[**Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

3.**]** For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 311.373, Line 3, by inserting after all of said section and line the following:

"311.950. 1. Notwithstanding any provision of law to the contrary, entertainment facilities including, but not limited to, arenas and stadiums used primarily for concerts, shows, and sporting events of any kind and entities selling concessions at such facilities that possess all necessary and valid licenses and permits to allow for the sale of alcoholic beverages shall not be prohibited from selling and delivering alcoholic beverages purchased through the use of mobile applications to individuals attending events on the premises of such facilities if the facilities are in compliance with all applicable state laws and regulations regarding the sale of alcoholic beverages.

2. For purposes of this section, the term "mobile application" shall mean a computer program or software designed to be used on hand-held mobile devices such as cellular phones and tablet computers.

3. Any employee of a facility or entity selling concessions at a facility who delivers an alcoholic beverage purchased through a mobile application to an individual shall require the individual to show a valid, government-issued identification document that includes the photograph and birth date of the individual, such as a driver's license, and shall verify that the individual is twenty-one years of age or older before the individual is allowed possession of the alcoholic beverage.

4. The division of alcohol and tobacco control may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in Section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of Chapter 536 and, if applicable, Section 536.028. This section and Chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to Chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said section and line the following:

"311.195. 1. As used in this section, the term "microbrewery" means a business whose primary activity is the brewing and selling of beer, with an annual production of ten thousand barrels or less.

2. A microbrewer's license shall authorize the licensee to manufacture beer and malt liquor in quantities not to exceed ten thousand barrels per annum. In lieu of the charges provided in Section 311.180, a license fee of five dollars for each one hundred barrels or fraction thereof, up to a maximum license fee of two hundred fifty dollars, shall be paid to and collected by the director of revenue.

3. Notwithstanding any other provision of this chapter to the contrary, the holder of a microbrewer's license may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell **all kinds of** intoxicating liquor**, as defined in this chapter,** by the drink at retail for consumption on the premises **of the microbrewery or in close proximity to the microbrewery**. No holder of a microbrewer's license, or any employee, officer, agent, subsidiary, or affiliate thereof, shall have more than ten licenses to sell intoxicating liquor by the drink at retail for consumption on the premises. **[**The authority for the collection of fees by cities and

counties as provided in Section 311.220, and all other laws and regulations relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to the holder of a license issued under the provisions of this section in the same manner as they apply to establishments licensed under the provisions of Section 311.085, 311.090, 311.095, or 311.097.**]**

4. The holder of a microbrewer's license may also sell beer and malt liquor produced on the brewery premises to duly licensed wholesalers. However, holders of a microbrewer's license shall not, under any circumstances, directly or indirectly, have any financial interest in any wholesaler's business, and all such sales to wholesalers shall be subject to the restrictions of Sections 311.181 and 311.182.

5. A microbrewer who is a holder of a license to sell intoxicating liquor by the drink at retail for consumption on the premises shall be exempt from the provisions of Section 311.280, for such intoxicating liquor that is produced on the premises in accordance with the provisions of this chapter. For all other intoxicating liquor sold by the drink at retail for consumption on the premises that the microbrewer possesses a license for must be obtained in accordance with Section 311.280.

311.198. 1. Notwithstanding any other provision of law, rule, or regulation to the contrary, a brewer may lease to the retail licensee and the retail licensee may accept portable refrigeration units at a total lease value equal to the cost of the unit to the brewer plus two percent of the total lease value as of the execution of the lease. Such portable refrigeration units shall remain the property of the brewer. The brewer may also enter into lease agreements with wholesalers, who may enter into sublease agreements with retail licensees in which the value contained in the sublease is equal to the unit cost to the brewer plus two percent of the total lease value as of the execution of the lease. If the lease agreement is with a wholesaler, the portable refrigeration units shall become the property of the wholesaler at the end of the lease period, which is to be defined between the brewer and the wholesaler. A wholesaler shall not directly or indirectly fund the cost or maintenance of the portable refrigeration units. Brewers shall be responsible for maintaining adequate records of retailer payments to be able to verify fulfillment of lease agreements. No portable refrigeration unit may exceed forty cubic feet in storage space. A brewer may lease, or wholesaler may sublease, not more than one portable refrigeration unit per retail location. For the purposes of this section, a brewer shall include any business whose primary activity is the brewing, manufacturing, and selling of intoxicating liquor along with such business's wholly and partially owned subsidiaries, parent or holding companies, interest holders, or affiliates thereof. Such portable refrigeration unit may bear in a conspicuous manner substantial advertising matter about a product or products of the brewer and shall be visible to consumers inside the retail outlet. Notwithstanding any other provision of law, rule, regulation, or lease to the contrary, the retail licensee is hereby authorized to stock, display, and sell any product in and from the portable refrigeration units. No dispensing equipment shall be attached to a leased portable refrigeration unit, and no beer, wine, or intoxicating liquor shall be dispensed directly from a leased portable refrigeration unit. Any brewer or wholesaler that provides portable refrigeration units shall within thirty days thereafter notify the division of alcohol and tobacco control on forms designated by the division of the location, lease terms, and total cubic storage space of the units. The division is hereby given authority, including rulemaking authority, to enforce this section and to ensure compliance by having access to and copies of lease, payment, and portable refrigeration unit records and information.

2. Any lease or sublease executed under this section shall not exceed five years in duration and shall not contain any provision allowing for or requiring the automatic renewal of the lease or sublease.

3. Any rule or portion of a rule, as that term is defined in Section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of Chapter 536 and, if applicable, Section 536.028. This section and Chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to Chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2017, shall be invalid and void.

4. This section shall expire on January 1, 2020. Any lease or sublease executed under this section prior to January 1, 2020, shall remain in effect until the expiration of such lease or sublease.

311.201. 1. Any person who is licensed to sell intoxicating liquor in the original package at retail as provided in subsection 1 of Section 311.200 may sell from thirty-two to one hundred twenty-eight fluid ounces of draft beer to customers in containers filled by any employee of the retailer on the premises for consumption off such premises. Any employee of the licensee shall be at least twenty-one years of age to fill containers with draft beer.

2. No provision of law, rule, or regulation of the supervisor of alcohol and tobacco control shall be interpreted to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to furnish dispensing or cooling equipment, or containers that are filled or refilled under Subsection 1 of this section, to any person who is licensed to sell intoxicating liquor in the original package at retail as provided in subsection 1 of Section 311.200.

3. (1) Containers that are filled or refilled under Subsection 1 of this section shall be affixed with a label or a tag that shall contain the following information in type not smaller than three millimeters in height and not more than twelve characters per inch:

(a) Brand name of the product dispensed;

(b) Name of brewer or bottler;

(c) Class of product, such as beer, ale, lager, bock, stout, or other brewed or fermented beverage;

(d) Net contents;

(e) Name and address of the business that filled or refilled the container;

(f) Date of fill or refill;

(g) The following statement: "This product may be unfiltered and unpasteurized. Keep refrigerated at all times.".

(2) Containers that are filled or refilled under subsection 1 of this section shall be affixed with the alcoholic beverage health warning statement as required by the Federal Alcohol Administration Act, 27 CFR Sections 16.20 to 16.22.

4. (1) The filling and refilling of containers shall only occur on demand by a customer and containers shall not be prefilled by the retailer or its employee.

(2) Containers shall only be filled or refilled by an employee of the retailer.

(3) Containers shall be filled or refilled as follows:

(a) Containers shall be filled or refilled with a tube as described in subdivision (4) of this subsection and:

a. Food grade sanitizer shall be used in accordance with the Environmental Protection Agency registered label use instructions;

b. A container of liquid food-grade sanitizer shall be maintained for no more than ten malt beverage taps that will be used for filling and refilling containers;

c. Each container shall contain no fewer than five tubes that will be used only for filling and refilling containers;

d. The container shall be inspected visually for contamination;

e. After each filling or refilling of a container, the tube shall be immersed in the container with the liquid food-grade sanitizer; and

f. A different tube from the container shall be used for each filling or refilling of a container; or

(b) Containers shall be filled or refilled with a contamination-free process and:

a. The container shall be inspected visually for contamination;

b. The container shall only be filled or refilled by the retailer's employee; and

c. The filling or refilling shall be in compliance with the Food and Drug Administration Code 2009, Section 3-304.17(c).

(4) Containers shall be filled or refilled from the bottom of the container to the top with a tube that is attached to the malt beverage faucet and extends to the bottom of the container or with a commercial filling machine.

(5) When not in use, tubes to fill or refill shall be immersed and stored in a container with liquid food-grade sanitizer.

(6) After filling or refilling a container, the container shall be sealed as set forth in subsection 1 of this section."; and

Further amend said bill, Page 2, Section 311.205, Line 11, by inserting after all of said section and line the following:

"311.328. 1. A valid and unexpired operator's or chauffeur's license issued under the provisions of Section 302.177, or a valid and unexpired operator's or chauffeur's license issued under the laws of any state or territory of the United States to residents of those states or territories, or a valid and unexpired identification card **or nondriver's license** as provided for under Section 302.181, **or a valid and unexpired nondriver's license issued under the laws of any state or territory of the United States to residents of those states or territories,** or a valid and unexpired identification card issued by any uniformed service of the United States, or a valid and unexpired passport shall be presented by the holder thereof upon request of any agent of the division of alcohol and tobacco control or any licensee or the servant, agent or employee thereof for the purpose of aiding the licensee or the servant, agent or employee to determine whether or not the person is at least twenty-one years of age when such person desires to purchase or consume alcoholic beverages procured from a licensee. Upon such presentation the licensee or the servant, agent or employee thereof shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.

2. Upon proof by the licensee of full compliance with the provisions of this section, no penalty shall be imposed if the supervisor of the division of alcohol and tobacco control or the courts are satisfied that the licensee acted in good faith.

3. Any person who shall, without authorization from the department of revenue, reproduce, alter, modify, or misrepresent any chauffeur's license, motor vehicle operator's license or identification card shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand dollars, and confinement for not more than one year, or by both such fine and imprisonment."; and

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

Representative Bondon offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 994, Page 5, Line 1, by inserting after all of said line the following:

"Further amend said bill and page, Section 311.373, Line 3, by inserting immediately after all of said section and line the following:

"Section B. The enactment of Section 311.198 of Section A of this act shall become effective January 1, 2017."; and "; and

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

On motion of Representative Bondon, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Cornejo, **House Amendment No. 5, as amended**, was adopted by the following vote, the ayes and noes having been demanded by Representative English:

AYES: 103

Adams	Alferman	Allen	Anders	Andrews
Bahr	Basye	Beard	Brown 57	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 104
Corlew	Cornejo	Cross	Curtis	Curtman
Dogan	Dunn	Ellington	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Gannon	Gardner
Green	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hoskins	Houghton	Hubbard
Hubrecht	Johnson	Jones	Justus	Kelley
Kidd	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lavender
Love	Mathews	May	McCaherty	McCann Beatty
McCreery	McGaugh	McGee	McNeil	Miller
Mims	Mitten	Montecillo	Morgan	Muntzel
Nichols	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Plocher
Rehder	Rhoads	Rizzo	Roden	Roeber
Rone	Rowden	Rowland 29	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Taylor 139
Taylor 145	Walker	Walton Gray	Webber	Wiemann
Wilson	Zerr	Mr. Speaker		

NOES: 038

Anderson	Arthur	Austin	Bernskoetter	Berry
Brattin	Brown 94	Burlison	Chipman	Conway 10
Davis	Eggleston	English	Fitzpatrick	Frederick
Haahr	Hinson	Hough	Hurst	Kendrick
LaFaver	Leara	Lichtenegger	Lynch	Marshall
McDaniel	Meredith	Messenger	Moon	Morris
Norr	Pogue	Reiboldt	Remole	Ross
Swan	White	Wood		

PRESENT: 002

Bondon	Spencer

ABSENT WITH LEAVE: 019

Barnes	Black	Cookson	Crawford	Dohrman
Dugger	Engler	Entlicher	Hummel	King
McDonald	Neely	Newman	Otto	Redmon
Rowland 155	Runions	Smith	Vescovo	

VACANCIES: 001

On motion of Representative Alferman, **HCS SB 994, as amended**, was adopted.

On motion of Representative Alferman, **HCS SB 994, as amended**, was read the third time and passed by the following vote:

AYES: 103

Adams	Alferman	Allen	Anders	Basye
Beard	Brown 57	Burlison	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtis	Curtman
Dogan	Dunn	Ellington	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Gannon
Gardner	Green	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hoskins	Houghton
Hubbard	Hubrecht	Johnson	Jones	Justus
Kelley	Kidd	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lavender
Leara	Love	Mathews	McCaherty	McCann Beatty
McCreery	McGaugh	McGee	Miller	Mims
Mitten	Montecillo	Morgan	Muntzel	Nichols
Pace	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Plocher	Rehder	Reiboldt
Rhoads	Rizzo	Roden	Roeber	Rone
Rowden	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Taylor 139	Taylor 145
Walker	Walton Gray	Webber	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 038

Anderson	Andrews	Arthur	Austin	Bahr
Bernskoetter	Berry	Brattin	Brown 94	Chipman
Davis	Eggleston	English	Frederick	Haahr
Hinson	Hough	Hurst	Kendrick	Kirkton
LaFaver	Lichtenegger	Lynch	Marshall	May
McDaniel	McNeil	Messenger	Moon	Morris
Norr	Parkinson	Pogue	Remole	Ross
Rowland 29	Swan	White		

PRESENT: 001

Bondon

ABSENT WITH LEAVE: 020

Barnes	Black	Cookson	Crawford	Dohrman
Dugger	Engler	Entlicher	Hummel	King
McDonald	Meredith	Neely	Newman	Otto
Redmon	Rowland 155	Runions	Smith	Vescovo

VACANCIES: 001

Speaker Richardson declared the bill passed.

THIRD READING OF HOUSE BILLS - REVISION

HRB 2467, for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions, was taken up by Representative Shaul.

On motion of Representative Shaul, **HRB 2467** was read the third time and passed by the following vote:

AYES: 127

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Bahr	Basye	Beard
Bernskoetter	Bondon	Brattin	Brown 57	Brown 94
Burlison	Burns	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	Dogan
Dunn	Eggleston	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Green	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch
Mathews	McCaherty	McCann Beatty	McDaniel	McGaugh
McGee	McNeil	Meredith	Messenger	Miller
Mitten	Moon	Morgan	Morris	Muntzel
Nichols	Norr	Pace	Peters	Pfautsch
Phillips	Pietzman	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland 29
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	Walton Gray	Webber	White	Wood
Zerr	Mr. Speaker			

NOES: 008

Butler	Kirkton	LaFaver	Marshall	May
McCreery	Montecillo	Pogue		

PRESENT: 000

ABSENT WITH LEAVE: 027

Austin	Barnes	Berry	Black	Colona
Crawford	Dohrman	Dugger	Ellington	Engler
Entlicher	Gardner	Hummel	McDonald	Mims
Neely	Newman	Otto	Parkinson	Pierson
Redmon	Rowland 155	Runions	Smith	Vescovo
Wiemann	Wilson			

VACANCIES: 001

Speaker Richardson declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 2473, relating to law enforcement records, was taken up by Representative Montecillo.

On motion of Representative Montecillo, **HB 2473** was read the third time and passed by the following vote:

AYES: 126

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Bondon	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Chipman
Cierpiot	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Curtis	Curtman	Davis
Dogan	Dunn	Eggleston	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Green	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Hubbard	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lavender	Leara	Love
Lynch	Marshall	Mathews	May	McCaherty
McCann Beatty	McCreery	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Nichols
Norr	Pace	Pfautsch	Phillips	Pietzman
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Ross	Rowden	Rowland 29
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Taylor 139	Taylor 145	Walker	Walton Gray
Webber	White	Wiemann	Wood	Zerr
Mr. Speaker				

NOES: 009

Cross	Haahr	Houghton	Lichtenegger	McDaniel
Pogue	Roeber	Spencer	Swan	

PRESENT: 000

ABSENT WITH LEAVE: 027

Barnes	Berry	Black	Carpenter	Colona
Dohrman	Dugger	Ellington	Engler	Gardner
Hummel	McDonald	Mims	Neely	Newman
Otto	Parkinson	Peters	Pierson	Redmon
Roden	Rone	Rowland 155	Runions	Smith
Vescovo	Wilson			

VACANCIES: 001

Speaker Richardson declared the bill passed.

COMMITTEE REPORTS

Committee on Emerging Issues, Chairman Haahr reporting:

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SS#3 SJR 39**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SB 573**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **SCR 66**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 2680**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

House Committee Amendment No. 1

AMEND House Bill No. 2680, Pages 1-3, Section 321.310, Lines 1-64, and Page 3, Section 321.330, Lines 1-11, by deleting all of said sections and lines from the bill and inserting in lieu thereof the following:

"**321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under Sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.**

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in Section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

527.130. The word "person", wherever used in Sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society**, fire protection district,** or municipal or other corporation of any character whatsoever.

Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of Section 321.315 and the repeal and reenactment of Section 527.130 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of Section 321.315 and the repeal and reenactment of Section 527.130 of Section A of this act shall be in full force and effect upon its passage and approval."; and

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

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 869**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(13) be referred to the Select Committee on State and Local Governments.

House Committee Amendment No. 1

AMEND Senate Bill No. 869, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "sections relating to political subdivisions"; and

Further amend said bill and page, Section 70.210, Line 12, by inserting after all of said section and line the following:

"99.805. As used in Sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, **[**unsanitary**] insanitary** or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

(6) "Gambling establishment", an excursion gambling boat as defined in Section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in Sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

(8) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

(9) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(10) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(11) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of Section 99.850;

(12) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to Sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

(13) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of Section 99.810;

(14) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

(15) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in Section 99.820 for the administration of Sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to**[**,**]:**

a. Acquisition of land and other property, real or personal, or rights or interests therein**[**,**];**

b. Demolition of buildings**[**,**];** and

c. The clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to Sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

(16) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

(17) "Taxing districts", any political subdivision of this state having the power to levy taxes;

(18) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

(19) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in Section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of Sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to Section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. Members appointed by the county executive or presiding commissioner prior to August 28, 2008, shall continue their service on the commission established in subsection 3 of this section without further appointment unless the county executive or presiding commissioner appoints a new member or members.

3. Beginning August 28, 2008:

(1) In lieu of a commission created under subsection 2 of this section, any city, town, or village in a county with a charter form of government and with more than one million inhabitants, in a county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, create a commission consisting of twelve persons to be appointed as follows:

(a) Six members appointed either by the county executive or presiding commissioner; notwithstanding any provision of law to the contrary, no approval by the county's governing body shall be required;

(b) Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;

(c) Two members appointed by the school boards whose districts are included in the county in a manner in which the school boards agree; and

(d) One member to represent all other districts levying ad valorem taxes in the proposed redevelopment area in a manner in which all such districts agree.

No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under Section 99.830 has been provided

prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;

(2) Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or presiding commissioner, to the school districts whose boundaries include any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.

4. (1) Any commission created under this section, subject to approval of the governing body of the municipality, may exercise the powers enumerated in Sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to Sections 99.825 and 99.830.

(2) Any commission created under Subsection 2 of this section shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in Section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

(3) Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of Section 99.810, as determined by counsel to the city, town, or village creating the commission and a request by the applicable city, town, or village for a public hearing, fix a time and place for the public hearing referred to in Section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects, and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. **A recommendation of approval shall only be deemed to occur if a majority of the commissioners voting on such plan, project, designation, or amendment thereto vote for approval. A tied vote shall be considered a recommendation in opposition.** If the commission fails to vote within thirty days following the completion of the public hearing referred to in Section 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the commission.

5. It shall be the policy of the state that each redevelopment plan or project of a municipality be carried out with full transparency to the public. The records of the tax increment financing commission including, but not limited to, commission votes and actions, meeting minutes, summaries of witness testimony, data, and reports submitted to the commission, shall be retained by the governing body of the municipality that created the commission and shall be made available to the public in accordance with chapter 610.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of Section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of Section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. **[**Effective January 1, 2008,**]** If, after concluding the hearing required under this section, the commission makes a recommendation under Section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under subsection 3 of Section 99.820, the economic activity taxes and payments in lieu of taxes generated by such plan, project, designation, or amendment shall be restricted to paying only those redevelopment project costs contained in subparagraphs b and c of paragraph (c) of subdivision (15) of Section 99.805 per redevelopment project.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

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

Select Committee on Commerce, Chairman Zerr reporting:

Mr. Speaker: Your Select Committee on Commerce, to which was referred **HB 2481**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Commerce, to which was referred **SCS SB 800, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Commerce, to which was referred **SCS SB 861, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Education, Chairman Lair reporting:

Mr. Speaker: Your Select Committee on Education, to which was referred **HB 1368, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Education, to which was referred **HB 2594**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin**.

Mr. Speaker: Your Select Committee on Education, to which was referred **SCS SB 638**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Education, to which was referred **SB 827, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Education, to which was referred **SCS SB 996, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Education, to which was referred **SB 997, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Financial Institutions and Taxation, Chairman Dugger reporting:

Mr. Speaker: Your Select Committee on Financial Institutions and Taxation, to which was referred **SB 932**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Insurance, Chairman Engler reporting:

Mr. Speaker: Your Select Committee on Insurance, to which was referred **SB 947**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Insurance, to which was referred **SCS SB 973**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Judiciary, Chairman Cornejo reporting:

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SB 735, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SB 844**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SCS SBs 905 & 992**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Select Committee on Labor and Industrial Relations, Chairman Rehder reporting:

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **SB 702**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Select Committee on State and Local Governments, Chairman Solon reporting:

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SB 640, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SS SB 786**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SB 852**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SCS SB 1009**, 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 **SS HB 1733** entitled:

An act to repeal Sections 302.276, 304.022, 304.044, 304.170, and 307.175, RSMo, and to enact in lieu thereof six new sections relating to the regulation of vehicles, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 1733, Page 15, Section 307.175, Line 18, by inserting after all said line the following:

"577.060. 1. A person commits the offense of leaving the scene of an accident when:

(1) Being the operator of a vehicle or a vessel involved in an accident resulting in injury or death or damage to property of another person; and

(2) Having knowledge of such accident he or she leaves the place of the injury, damage or accident without stopping and giving the following information to the other party or to a law enforcement officer, or if no law enforcement officer is in the vicinity, then to the nearest law enforcement agency:

(a) His or her name;

(b) His or her residence, including city and street number;

(c) The registration or license number for his or her vehicle or vessel; and

(d) His or her operator's license number, if any.

2. For the purposes of this section, all law enforcement officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned property for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. The offense of leaving the scene of an accident is:

(1) A class A misdemeanor; **[**or**]**

(2) A class E felony if:

(a) Physical injury was caused to another party; or

(b) Damage in excess of one thousand dollars was caused to the property of another person; or

(c) The defendant has previously been found guilty of any offense committed in another jurisdiction which, if committed in this state, would be a violation of an offense in this section**; or**

(3) A class D felony if a death has occurred as a result of the accident.

4. A law enforcement officer who investigates or receives information of an accident involving an all-terrain vehicle and also involving the loss of life or serious physical injury shall make a written report of the investigation or information received and such additional facts relating to the accident as may come to his or her knowledge, mail the information to the department of public safety, and keep a record thereof in his or her office.

5. The provisions of this section shall not apply to the operation of all-terrain vehicles when property damage is sustained in sanctioned all-terrain vehicle races, derbies and rallies.

577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to his culpability or to accident, he leaves the place of the injury, damage or accident without stopping and giving his name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be:
(1) A class D felony if the accident resulted in:
[(1)**] (a)** Physical injury to another party; **[**or**]**
[(2)**] (b)** Property damage in excess of one thousand dollars; or
[(3)**] (c)** If the defendant has previously pled guilty to or been found guilty of a violation of this section**; or**
(2) A class C felony if a death has occurred as a result of the accident."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 1733, Page 1, Section A, Line 4, by inserting after all of said line the following:

"301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the **[**motor carrier and railroad safety division**] highways and transportation commission** of the department of **[**economic development**] transportation**. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer as defined in Section 301.010 or semitrailer **[**which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly**]** may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of Section 301.442."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 677, as amended.**

Senators: Sater, Wasson, Riddle, Chappelle-Nadal, and Schupp

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 607, as amended.**

Senators: Sater, Romine, Hegeman, Schupp, and Sifton

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 639, as amended.**

Senators: Riddle, Wieland, Onder, Keaveny, and Schupp

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 608, as amended**, 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 SS SB 732, as amended**, 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 **House Amendment No. 1, as amended**, and **House Amendment No. 2** to **SB 700** 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 has taken up and passed **SCS SB 613** entitled:

An act to repeal Sections 287.957 and 287.975, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 884** entitled:

An act to repeal Section 414.082, RSMo, and to enact in lieu thereof one new section relating to the per barrel fee for the inspection of certain motor fuels.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 111 - Government Oversight and Accountability

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

SS HB 1733, as amended - Fiscal Review
HB 2273 - Public Safety and Emergency Preparedness

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

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

SCR 50 - Trade and Tourism

REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

SCS SB 638 - Fiscal Review

COMMUNICATIONS

April 28, 2016

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 317-B
Jefferson City, MO 65101

Mr. Chief Clerk,

The House Select Committee on Rules Chair has reviewed the following House Resolution requesting use of the House Chamber and approved the following: **HR 581** and **HR 2869**.

Warmest regards,

/s/ Donna Pfautsch
State Representative

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 3:00 p.m., Monday, May 2, 2016.

COMMITTEE HEARINGS

CHILDREN AND FAMILIES
Tuesday, May 3, 2016, 12:00 PM or Upon Conclusion of Morning Session (whichever is later), House Hearing Room 1.
Public hearing will be held: SS SB 619, SS SCS SB 801
Executive session may be held on any matter referred to the committee.

CIVIL AND CRIMINAL PROCEEDINGS
Monday, May 2, 2016, Upon Conclusion of Evening Session, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Monday, May 2, 2016, Immediately Upon Afternoon Adjournment, House Hearing Room 3.
Public hearing will be held: SCS SB 904
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES
Monday, May 2, 2016, Upon Adjournment, House Hearing Room 5.
Public hearing will be held: SS SB 612, SB 941
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Monday, May 2, 2016, 1:30 PM, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
CORRECTED

FISCAL REVIEW
Wednesday, May 4, 2016, 9:15 AM, South Gallery.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, May 5, 2016, 9:15 AM, South Gallery.
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, May 3, 2016, 9:00 AM, House Hearing Room 6.
Public hearing will be held: SB 873
Executive session will be held: SB 873
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Monday, May 2, 2016, 12:00 PM, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Election of Chair and Vice-Chair; Recognition of Outgoing Members; Discussion of Interim Projects.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Monday, May 2, 2016, 2:30 PM, House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
INFORMATION HEARING REQUIRED. Applications may follow.
CORRECTED

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS
Monday, May 9, 2016, 2:00 PM, House Hearing Room 5.
Public hearing will be held: HB 1516, HB 1520, HB 1521, HB 1522, HB 1523
Executive session may be held on any matter referred to the committee.
CORRECTED

SELECT COMMITTEE ON FINANCIAL INSTITUTIONS AND TAXATION
Monday, May 2, 2016, 2:00 PM, House Hearing Room 6.
Executive session will be held: SS SB 799, SB 897
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON JUDICIARY
Tuesday, May 3, 2016, 12:00 PM or Upon Conclusion of Morning Session (whichever is later), House Hearing Room 5.
Executive session will be held: SB 681, SCS SB 804, SS SCS SB 986
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON SOCIAL SERVICES
Monday, May 2, 2016, 2:00 PM, House Hearing Room 7.
Executive session will be held: HB 2492, HB 2558, HB 2624, HB 2580, HB 2384, HB 2127, SCS SB 855
Executive session may be held on any matter referred to the committee.
CORRECTED

TRANSPORTATION
Tuesday, May 3, 2016, 12:30 PM, House Hearing Room 7.
Public hearing will be held: SB 1139
Executive session will be held: SB 1139, SS SB 623, SS SB 659, SB 899, HB 2721
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, May 3, 2016, 8:30 AM, House Hearing Room 1.
Public hearing will be held: SCS SB 968
Executive session will be held: SCS SB 968
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Monday, May 2, 2016, 2:30 PM, House Hearing Room 2.
Executive session will be held: SB 1025
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Monday, May 30, 2016, 2:30 PM, House Hearing Room 2.
Executive session will be held: SB 1025
Executive session may be held on any matter referred to the committee.
CANCELLED

HOUSE CALENDAR

SIXTY-SECOND DAY, MONDAY, MAY 2, 2016

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 56 - Burlison
HJR 59 - Lauer
HJR 88 - Kidd
HJR 60 - Kelley
HCS HJR 98 - Moon

HOUSE BILLS FOR PERFECTION

HCS HB 1995 - Cornejo
HB 1396 - McCreery
HB 1389 - King
HB 2322 - Rowden
HB 1965 - Zerr
HB 2243 - Cornejo
HCS HB 2388, with HA 1, pending - Fitzwater (144)
HCS HBs 2565 & 2564 - Montecillo
HB 2575 - Montecillo
HCS HB 2399 - Colona
HCS HB 1578 - Higdon
HB 2448 - Conway (10)
HCS HB 1866 - Hubrecht
HB 1831 - McGaugh
HCS HB 2367 - McGaugh
HB 2271 - Entlicher
HCS HB 2472 - Franklin
HB 2042 - Curtman
HB 1755 - Bahr
HB 1685 - Fitzwater (49)
HB 1792 - Lauer
HB 1731 - Reiboldt
HCS HB 2344 - Wilson
HCS HB 2269 - Frederick
HCS HB 2078 - Fraker
HCS HB 1566 - Davis
HCS HB 1617 - McCaherty
HCS HB 1732 - Davis
HCS HB 1927 - Redmon
HB 2043 - Swan
HB 2464 - Davis
HCS HB 2515 - Engler

HB 2461 - Ross
HB 2671 - Fitzwater (49)
HCS HB 2416 - Leara
HCS HB 2632 - Reiboldt
HCS HB 2757 - Kolkmeyer
HCS HB 2638 - Wiemann
HB 2422 - LaFaver
HCS HB 2502 - McGaugh
HB 1667 - Swan
HB 2087 - Lynch
HB 2283 - McCaherty
HB 1994 - Cornejo
HB 1914 - Hinson
HB 1436 - Kelley
HB 1615 - Swan
HB 2358 - Fitzpatrick
HCS HB 2320 - McGaugh
HCS HBs 2298 & 2109 - Miller
HB 2066 - Hill
HCS HB 2456 - Andrews
HCS HB 2349 - Koenig
HCS HB 2252 - Curtman
HCS HB 1628 - Cookson
HB 2159 - Rhoads
HCS HB 1614 - Swan
HB 2328 - Davis
HB 2304 - Frederick
HB 1697 - Rowland (155)
HB 1861 - Cross
HB 2251 - Curtman
HCS HB 2107 - McGaugh
HB 1741 - Brattin
HCS HB 2488 - Hill
HCS HB 1640 - Hicks
HCS HB 1608 - Swan
HB 2105 - Cornejo
HB 1959 - Dugger
HB 2458 - Mathews
HB 2651 - Fitzwater (49)
HCS HB 2742 - Fitzwater (144)

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 94 - Hummel
HCS HCR 60 - Love
HCR 99 - Hinson

HCS HCR 91 - Walton Gray
HCR 72 - Fitzwater (49)
HCR 66 - Hubrecht

HOUSE BILLS FOR THIRD READING

HCS HB 1605, with HCA 2 - Kelley
HCS HB 1945, (Fiscal Review 4/21/16) - Spencer
HCS HB 2566, (Fiscal Review 4/27/16) - Pfautsch

HOUSE BILLS FOR THIRD READING - CONSENT

HB 2348 - Richardson

SENATE BILLS FOR SECOND READING

SCS SB 613 - Cunningham
SB 884 - Munzlinger

SENATE BILLS FOR THIRD READING

SCS SB 650, (Fiscal Review 4/21/16), E.C. - Cookson
SCS SB 921 - Franklin
SCS SB 818 - Alferman
HCS SCS SB 765 - Cornejo
HCS SCS SB 703, (Fiscal Review 4/26/16) - Reiboldt
SB 887 - Pierson
HCS SB 867 - Fitzpatrick
SB 988, E.C. - Frederick
SCS SB 646 - Frederick
SB 627 - English
HCS SCS SB 823 - Zerr
SB 641, (Fiscal Review 4/27/16) - Reiboldt
HCS SB 864 - Morris
HCS SCS SBs 688 & 854, (Fiscal Review 4/27/16) - Franklin
SCS SB 638, (Fiscal Review 4/28/16) - Swan
SB 844 - McGaugh
SCS SBs 905 & 992, E.C. - Jones
SB 702 - Brown (57)

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCS SCR 43 - Richardson
SCR 66 - Rowden

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 1562, with SA 1, SA 2, SA 3, SA 4, SA 5, and SA 6 - Haahr
SCS HB 1698 - Rowden
SCS HB 2125 - Fitzwater (49)
SCS HB 1414, as amended - Houghton
SS#2 SCS HCS HB 1550, as amended, E.C. - Neely
SCS HB 1936, as amended - Wilson
SCS HCS HB 2030 - Hoskins
SCS HB 1682, as amended - Frederick
SS HB 2355 - Lant
HB 1568, with SA 1 - Lynch
SS HCS HB 1877, as amended - Wood
SS HCS HB 1477, E.C. - Dugger
SCS HCS HB 1584, as amended (Fiscal Review 4/27/16) - Hill
SCS HCS HB 1976, as amended - Hoskins
SCS HCS HBs 1646, 2132 & 1621 - Swan
SS HB 1733, as amended (Fiscal Review 4/28/16) - Davis

BILLS CARRYING REQUEST MESSAGES

HB 1870, with SA 1, SA 3, SA 4, and SA 5 (request Senate recede/grant conference) - Hoskins
HCS SS SB 608, as amended, (request House recede/grant conference) - Allen
HCS SS SB 732, as amended (request House recede/grant conference) - Rhoads
SB 700, with HA 1, as amended, and HA 2, (request House recede/grant conference) - Dohrman

BILLS IN CONFERENCE

HCS SS SB 621, as amended, E.C. - Barnes
HCS SB 677, as amended - Franklin
HCS SB 607, as amended - Haefner
HCS SB 639, as amended, E.C. - Walker

HOUSE RESOLUTIONS

HR 1103 - Richardson

VETOED HOUSE BILLS

SS HCS HB 1891 - Rehder

VETOED SENATE BILLS

SCR 46 - Barnes

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

SCS HCS HB 1 - Flanigan
CCS SCS HCS HB 2 - Flanigan
CCS SCS HCS HB 3 - Flanigan
CCS SCS HCS HB 4 - Flanigan
CCS SCS HCS HB 5 - Flanigan
CCS SCS HCS HB 6 - Flanigan
CCS SCS HCS HB 7 - Flanigan
CCS SCS HCS HB 8 - Flanigan
CCS SCS HCS HB 9 - Flanigan
CCS SCS HCS HB 10 - Flanigan
CCS SCS HCS HB 11 - Flanigan
CCS SS SCS HCS HB 12 - Flanigan
CCS SCS HCS HB 13 - Flanigan
SS SCS HCS HB 17 - Flanigan
SCS HCS HB 18 - Flanigan
SCS HCS HB 19 - Flanigan

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