

JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, TUESDAY, APRIL 17, 2018

The House met pursuant to adjournment.

Representative Chipman in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

We are laborers together with God. (I Corinthians 3:9)

Eternal God, from whom we come, with whom we live, and in whose fellowship is our true life, we bring our hearts and minds to You in this moment of prayer. From the confusion and unrest of these past few days, we enter the sanctuary of Your presence seeking peace, strength and wisdom as we face the serious duties of this week.

Empower all within this hallowed and historic chamber who labor for the good of our State and who endeavor to lead our people in just ways. Give them the strength to always do their best, to stand for the truth, siding with justice, and strengthening the honor of our State on this tax day.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

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

AYES: 130

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Butler	Carpenter
Chipman	Conway 10	Conway 104	Corlew	Cornejo
Cross	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Ellington	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Franklin
Franks Jr	Frederick	Gray	Grier	Haahr
Haefner	Hannegan	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lavender	Love	Lynch	Marshall	Mathews
Matthiesen	McCann Beatty	McCreery	McDaniel	McGaughey
McGee	Meredith 71	Merideth 80	Miller	Moon
Morgan	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pike
Quade	Razer	Redmon	Reiboldt	Revis
Rhoads	Roberts	Roden	Roeber	Rone

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Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stevens 46	Swan
Tate	Taylor	Unsicker	Vescovo	Walker 3
Walsh	Wessels	White	Wiemann	Wood

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 031

Bernskoetter	Christofanelli	Cookson	Curtis	Curtman
Francis	Gannon	Green	Gregory	Hansen
Kelley 127	Lichtenegger	May	Messenger	Mitten
Morris 140	Newman	Peters	Pietzman	Plocher
Pogue	Rehder	Reisch	Remole	Shumake
Stephens 128	Trent	Walker 74	Washington	Wilson
Mr. Speaker				

VACANCIES: 002

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

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

HOUSE RESOLUTIONS

Representative McCann Beatty offered House Resolution No. 6783.

SECOND READING OF SENATE BILLS

The following Senate Bills were read the second time:

SS SCS SB 568, relating to salaries of county officials.

SS#2 SB 674, relating to taxation.

SS SCS SB 1023, relating to notaries public, with an existing penalty provision and a delayed effective date.

THIRD READING OF HOUSE BILLS - INFORMAL

HCS HB 2540, with House Committee Amendment No. 3, relating to state revenues, was taken up by Representative Haahr.

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

On motion of Representative Haahr, **HCS HB 2540, as amended**, was read the third time and passed by the following vote:

AYES: 091

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bernskoetter	Black	Bondon	Brattin
Chipman	Christofanelli	Conway 104	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dohrman
Eggleston	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelly 141	Knight	Kolkmeier
Korman	Lant	Lichtenegger	Love	Lynch
Mathews	Matthiesen	McDaniel	McGaugh	Miller
Moon	Morris 140	Morse 151	Muntzel	Pfausch
Phillips	Pietzman	Pike	Plocher	Redmon
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Smith 163	Sommer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walsh	Wiemann
Mr. Speaker				

NOES: 061

Adams	Anders	Arthur	Bahr	Bangert
Baringer	Barnes 28	Beck	Berry	Brown 27
Brown 57	Burnett	Burns	Butler	Carpenter
Conway 10	Cookson	Corlew	Curtis	Dogan
Ellebracht	Ellington	Engler	Franks Jr	Frederick
Gray	Green	Harris	Higdon	Kendrick
Kidd	Lauer	Lavender	Marshall	May
McCann Beatty	McCreery	McGee	Meredith 71	Merideth 80
Messenger	Mitten	Morgan	Mosley	Neely
Nichols	Pierson Jr	Pogue	Quade	Razer
Rehder	Revis	Roberts	Rowland 29	Runions
Smith 85	Spencer	Stevens 46	Unsicker	Wessels
White				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes 60	Kelley 127	Newman	Peters	Shumake
Walker 74	Washington	Wilson	Wood	

VACANCIES: 002

Representative Chipman declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HBs 2523 & 2524, relating to the sunshine law, was taken up by Representative Gregory.

On motion of Representative Gregory, the title of **HCS HBs 2523 & 2524** was agreed to.

Representative Plocher assumed the Chair.

On motion of Representative Gregory, **HCS HBs 2523 & 2524** was adopted.

On motion of Representative Gregory, **HCS HBs 2523 & 2524** was ordered perfected and printed.

HCS HB 1857 was placed on the Informal Calendar.

HCS HB 1289, relating to ballot initiatives and referendums, was taken up by Representative Engler.

On motion of Representative Engler, the title of **HCS HB 1289** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1289, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"115.961. 1. The secretary of state shall establish by rule a program that will accept electronic signatures for voter registration applications and any name or address changes submitted by persons submitting such applications. Such program shall be used by the department of revenue for any voter registration applications, name or address changes submitted under section 115.160, and by any voter registration agency that accepts voter registration applications under section 115.162. Any person that submits a voter registration application using an electronic signature shall be deemed registered as of the time the person's completed, signed, and sworn registration application is submitted, as provided in sections 115.160 or 115.162.

2. Notwithstanding any other provision of law to the contrary, the secretary of state and local election authorities shall accept electronic signatures under section 432.230.4 on all initiative petitions.

3. The secretary of state shall review current privacy and security measures applicable to the existing electronic voter registration files, and establish enhanced standards and procedures to further safeguard the privacy, integrity, and security of voter registration information.

116.045. Petition signature pages shall be printed on a form as prescribed by the secretary of state, which shall include all of the information and statements set forth in sections 116.030 and 116.040, as applicable, and comply with section 116.050. The form shall be made available in electronic format for printing and circulating petitions."; and

Further amend said bill and page, Section 116.050, Line 3, by deleting said line and inserting in lieu thereof the following:

"be double-spaced in a font no smaller than twelve-point Times New Roman and have margins"; and

Further amend said bill, Page 3, Sections 116.150, Lines 1-12, by deleting all of said section and lines from the bill; and

Further amend said bill and page, Section 116.160, Line 15, by deleting "~~articles.~~]" and inserting in lieu thereof "~~articles~~]."; and

Further amend said bill, Page 5, Section 116.270, Line 19, by deleting "~~for in~~" and inserting in lieu thereof "~~forth in~~"; and

Further amend said bill, Page 5, Section 116.275, Lines 1-24, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 6, Section 116.332, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"with the Constitution of the United States and the Constitution of Missouri and approve or reject"; and

Further amend said bill, section and page, Line 26, by deleting all of said line and inserting in lieu thereof the following:

"of the United States and the Constitution of Missouri. If the petition is rejected [~~as to form~~], the"; and

Further amend said bill, Page 7, Section B, Lines 1-3, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. The repeal and reenactment of sections 115.961, 116.045, 116.050, 116.160, 116.230, 116.270, 116.332, and 116.334 shall become effective on November 7, 2018."; 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 Roberts offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1289, Pages 2-3, Section 116.100, Lines 1-21, 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 Roberts, **House Amendment No. 2** was adopted.

On motion of Representative Engler, **HCS HB 1289, as amended**, was adopted.

On motion of Representative Engler, **HCS HB 1289, as amended**, was ordered perfected and printed.

HCS HB 1542, relating to pharmacy benefits managers, was taken up by Representative Morris (140).

On motion of Representative Morris (140), the title of **HCS HB 1542** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1542, Page 2, Section 376.387, Line 28, by inserting after all of said line the following:

"6. No pharmacy benefits manager shall prohibit a pharmacist or pharmacy from making any written or oral statement to any state, county, or municipal official or before any state, county, or municipal committee, body, or proceeding.

7. The department of insurance, financial institutions and professional registration shall enforce the provisions of this section.

8. Any person aggrieved by a pharmacy benefits manager's violation of this section may bring a civil action against the pharmacy benefits manager that violated the provisions of this section."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1542, Page 2, Section 376.387, Line 28, by inserting after all of said line the following:

"6. If any person believes that a pharmacy benefits manager has committed a violation of subsection 2 through 5 of this section, they may mail written notice to the pharmacy benefits manager describing the alleged violation and allow the pharmacy benefits manager ten business days from the date the notice was postmarked to remedy such alleged violation. If such alleged violation is not so remedied, then such person may request the department of insurance, financial institutions and professional registration, to conduct an arbitration proceeding in a manner prescribed by such division, provided that the division shall issue a ruling within seventy days of receiving the request. The division may join similar claims and claims presenting a common issue of fact. The department may establish a reasonable fee, which shall be paid by the non-prevailing party. The division's ruling shall be final and binding on all parties unless appealed as provided in Chapter 536.

7. The department of insurance, financial institutions, and professional registration may promulgate rules as necessary 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, 2018, shall be invalid and void."; and

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

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

On motion of Representative Morris (140), **HCS HB 1542, as amended**, was adopted.

On motion of Representative Morris (140), **HCS HB 1542, as amended**, was ordered perfected and printed.

HCS HB 1803 and **HCS HB 1739** were placed on the Informal Calendar.

HCS HB 1885, relating to structured family caregiving for MO HealthNet home- and community-based care, was taken up by Representative Bahr.

On motion of Representative Bahr, the title of **HCS HB 1885**, relating to home and community based care and personal care assistant services, was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1885, Page 3, Section 208.896, Line 56, by inserting immediately after said section and line the following:

- "208.909. 1. Consumers receiving personal care assistance services shall be responsible for:
- (1) Supervising their personal care attendant;
 - (2) Verifying wages to be paid to the personal care attendant;
 - (3) Preparing and submitting time sheets, signed by both the consumer and personal care attendant, to the vendor on a biweekly basis;
 - (4) Promptly notifying the department within ten days of any changes in circumstances affecting the personal care assistance services plan or in the consumer's place of residence;
 - (5) Reporting any problems resulting from the quality of services rendered by the personal care attendant to the vendor. If the consumer is unable to resolve any problems resulting from the quality of service rendered by the personal care attendant with the vendor, the consumer shall report the situation to the department; ~~and~~
 - (6) Providing the vendor with all necessary information to complete required paperwork for establishing the employer identification number; **and**
 - (7) **Allowing the vendor to comply with its quality assurance and supervision process, which shall include, but not be limited to, bi-annual face-to-face home visits and monthly case management activities.**
2. Participating vendors shall be responsible for:
- (1) Collecting time sheets or reviewing reports of delivered services and certifying the accuracy thereof;
 - (2) The Medicaid reimbursement process, including the filing of claims and reporting data to the department as required by rule;
 - (3) Transmitting the individual payment directly to the personal care attendant on behalf of the consumer;
 - (4) Monitoring the performance of the personal care assistance services plan. **Such monitoring shall occur during the bi-annual face-to-face home visits under section 208.918. The vendor shall document whether the attendant was present and if services are being provided to the consumer as set forth in the plan of care.**
3. No state or federal financial assistance shall be authorized or expended to pay for services provided to a consumer under sections 208.900 to 208.927, if the primary benefit of the services is to the household unit, or is a household task that the members of the consumer's household may reasonably be expected to share or do for one another when they live in the same household, unless such service is above and beyond typical activities household members may reasonably provide for another household member without a disability.
4. No state or federal financial assistance shall be authorized or expended to pay for personal care assistance services provided by a personal care attendant who is listed on any of the background check lists in the family care safety registry under sections 210.900 to ~~[210.937]~~ **210.936**, unless a good cause waiver is first obtained from the department in accordance with section 192.2495.
5. (1) All vendors shall, by July 1, 2015, have, maintain, and use a telephone tracking system for the purpose of reporting and verifying the delivery of consumer-directed services as authorized by the department of health and senior services or its designee. ~~[Use of such a system prior to July 1, 2015, shall be voluntary.]~~ The telephone tracking system shall be used to process payroll for employees and for submitting claims for reimbursement to the MO HealthNet division. At a minimum, the telephone tracking system shall:
- (a) Record the exact date services are delivered;
 - (b) Record the exact time the services begin and exact time the services end;
 - (c) Verify the telephone number from which the services are registered;
 - (d) Verify that the number from which the call is placed is a telephone number unique to the client;
 - (e) Require a personal identification number unique to each personal care attendant;
 - (f) Be capable of producing reports of services delivered, tasks performed, client identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service; and

(g) Be capable of producing reimbursement requests for consumer approval that assures accuracy and compliance with program expectations for both the consumer and vendor.

~~(2) [The department of health and senior services, in collaboration with other appropriate agencies, including centers for independent living, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section and section 208.918. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.~~

~~————(3)]~~ As new technology becomes available, the department may allow use of a more advanced tracking system, provided that such system is at least as capable of meeting the requirements of this subsection.

~~[(4)]~~ (3) The department of health and senior services shall promulgate by rule the minimum necessary criteria of the telephone tracking system. 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, 2010, shall be invalid and void.

~~[6. In the event that a consensus between centers for independent living and representatives from the executive branch cannot be reached, the telephony report issued to the general assembly and governor shall include a minority report which shall detail those elements of substantial dissent from the main report.~~

~~————7. No interested party, including a center for independent living, shall be required to contract with any particular vendor or provider of telephony services nor bear the full cost of the pilot program.]~~

208.918. 1. In order to qualify for an agreement with the department, the vendor shall have a philosophy that promotes the consumer's ability to live independently in the most integrated setting or the maximum community inclusion of persons with physical disabilities, and shall demonstrate the ability to provide, directly or through contract, the following services:

(1) Orientation of consumers concerning the responsibilities of being an employer[;] **and supervision of personal care attendants including the preparation and verification of time sheets. Such orientation shall include notifying consumers that falsification of personal care attendant time sheets shall be considered fraud and shall be reported to the department;**

(2) Training for consumers about the recruitment and training of personal care attendants;

(3) Maintenance of a list of persons eligible to be a personal care attendant;

(4) Processing of inquiries and problems received from consumers and personal care attendants;

(5) Ensuring the personal care attendants are registered with the family care safety registry as provided in sections 210.900 to ~~[210.937]~~ **210.936**; and

(6) The capacity to provide fiscal conduit services through a telephone tracking system by the date required under section 208.909.

2. In order to maintain its agreement with the department, a vendor shall comply with the provisions of subsection 1 of this section and shall:

(1) Demonstrate sound fiscal management as evidenced on accurate quarterly financial reports ~~[and annual audit]~~ submitted to the department; ~~[and]~~

(2) **Attest that all adequate documentation for all information is provided on reports, and billing records have sufficient required documentation to support the amounts claimed;**

(3) Demonstrate a positive impact on consumer outcomes regarding the provision of personal care assistance services as evidenced on accurate quarterly and annual service reports submitted to the department;

~~[(3)]~~ (4) Implement a quality assurance and supervision process that ensures program compliance and accuracy of records:

(a) **The department of health and senior services shall promulgate by rule a consumer-directed services division provider certification manager course; and**

(b) **The vendor shall perform with the consumer at least bi-annual face-to-face home visits to provide ongoing monitoring of the provision of services in the plan of care and assess the quality of care being delivered. The bi-annual face-to-face home visits do not preclude the vendor's responsibility from its ongoing diligence of case management oversight; [and]**

~~————(4)]~~ (5) Comply with all provisions of sections 208.900 to 208.927, and the regulations promulgated thereunder; **and**

(6) **Maintain a proper business location, the criteria for which shall be defined by the department of health and senior services by rule.**

3. No state or federal funds shall be authorized or expended if the owner, primary operator, certified manager, or any direct employee of the consumer-directed services vendor is also the personal care attendant.

208.924. A consumer's personal care assistance services may be discontinued under circumstances such as the following:

(1) The department learns of circumstances that require closure of a consumer's case, including one or more of the following: death, admission into a long-term care facility, no longer needing service, or inability of the consumer to consumer-direct personal care assistance service;

(2) The consumer has falsified records; **provided false information of his or her condition, functional capacity, or level of care needs;** or committed fraud;

(3) The consumer is noncompliant with the plan of care. Noncompliance requires persistent actions by the consumer which negate the services provided in the plan of care;

(4) The consumer or member of the consumer's household threatens or abuses the personal care attendant or vendor to the point where their welfare is in jeopardy and corrective action has failed;

(5) The maintenance needs of a consumer are unable to continue to be met because the plan of care hours exceed availability; and

(6) The personal care attendant is not providing services as set forth in the personal care assistance services plan and attempts to remedy the situation have been unsuccessful."; and

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

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

On motion of Representative Bahr, **HCS HB 1885, as amended**, was adopted.

On motion of Representative Bahr, **HCS HB 1885, as amended**, was ordered perfected and printed.

HCS HB 1915, relating to the no-call list, was taken up by Representative Roden.

On motion of Representative Roden, the title of **HCS HB 1915**, relating to consumer protection, was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1915, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

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

(1) **"American Indian tribe", any Indian tribe federally recognized by the Bureau of Indian Affairs of the United States Department of the Interior;**

(2) **"American Indian", a person who is a citizen or enrolled member of an American Indian tribe;**

(3) **"Imitation American Indian art or craft", any basic article purporting to be of American Indian style, make, origin, or design that was not made by American Indian labor and workmanship;**

(4) **"Authentic American Indian art or craft", any article of American Indian style, make, origin, or design that was made wholly or in part by American Indian labor and workmanship including, but not limited to, any Kachina doll, rosette, necklace, choker, barrette, hair tie, medallion, pin, pendant, bolo tie, belt, belt buckle, cuff links, tie clasp, tie bar, ring, earring, purse, blanket, shawl, moccasin, drum, or pottery or any visual or performing arts or literature;**

(5) "Merchant", any person engaged in the sale to the public of imitation American Indian art or craft or authentic American Indian art or craft.

2. No merchant shall distribute, trade, sell, or offer for sale or trade within this state any article represented as being made by American Indians unless the article is an authentic American Indian art or craft. All such articles purporting to be of silver shall be made of coin or sterling silver.

3. Any merchant who knowingly and willfully tags or labels any article as being an American Indian art or craft when it does not meet the specifications of this section shall be subject to a fine of not less than twenty-five dollars and not more than two hundred dollars, to imprisonment for not less than thirty days and not more than ninety days, or to both such fine and imprisonment."; and

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

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

On motion of Representative Roden, **HCS HB 1915, as amended**, was adopted.

On motion of Representative Roden, **HCS HB 1915, as amended**, was ordered perfected and printed.

HB 2155, relating to the transfer of intoxicating liquor, was taken up by Representative Schroer.

On motion of Representative Schroer, the title of **HB 2155** was agreed to.

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

House Amendment No. 1

AMEND House Bill No. 2155, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"311.020. The term "intoxicating liquor" as used in this chapter shall mean and include alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing in excess of one-half of one percent by volume. **The term "intoxicating liquor" shall include "powdered alcohol", which means alcohol that is prepared in a powdered, crystalline, or capsule form either for direct use or for reconstitution in a nonalcoholic liquid; "powdered alcohol" shall also include gum or candy infused with powdered or other alcohol.** All beverages having an alcoholic content of less than one-half of one percent by volume shall be exempt from the provisions of this chapter, but subject to inspection as provided by sections 196.365 to 196.445.

311.070. 1. Distillers, wholesalers, winemakers, brewers or their employees, officers or agents shall not, except as provided in this section, directly or indirectly, have any financial interest in the retail business for sale of intoxicating liquors, and shall not, except as provided in this section, directly or indirectly, loan, give away or furnish equipment, money, credit or property of any kind, except ordinary commercial credit for liquors sold to such retail dealers. However, notwithstanding any other provision of this chapter to the contrary, for the purpose of the promotion of tourism, a distiller whose manufacturing establishment is located within this state may apply for and the supervisor of liquor control may issue a license to sell intoxicating liquor, as in this chapter defined, by the drink at retail for consumption on the premises where sold; and provided further that the premises so licensed shall be in close proximity to the distillery and may remain open between the hours of 6:00 a.m. and 1:30 a.m., Monday through Saturday and between the hours of 9:00 a.m. and midnight, Sunday. 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, or 311.095.

2. Any distiller, wholesaler, winemaker, or brewer who shall violate the provisions of subsection 1 of this section, or permit his **or her** employees, officers or agents to do so, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as follows:

- (1) For the first offense, by a fine of one thousand dollars;
- (2) For a second offense, by a fine of five thousand dollars; and
- (3) For a third or subsequent offense, by a fine of ten thousand dollars or the license of such person shall be revoked.

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

(1) "Consumer advertising specialties", advertising items that are designed to be carried away by the consumer, such items include, but are not limited to: trading stamps, nonalcoholic mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, matches, printed recipes, pamphlets, cards, leaflets, blotters, postcards, pencils, shirts, caps and visors;

(2) "Equipment and supplies", glassware (or similar containers made of other material), **table umbrellas**, dispensing accessories, carbon dioxide (and other gasses used in dispensing equipment), or ice. "Dispensing accessories" include, **but are not limited to, items such as** standards, ~~[faucets, cold plates,]~~ rods, ~~[vents,]~~ taps, tap standards, ~~[hoses, washers, couplings, gas gauges,]~~ vent tongues, ~~[shanks, and]~~ check valves, **portable coil boxes, air pumps, tubs, blankets, coolers, rolling coolers, portable bars, agitating tanks, carbon dioxide and nitrogen-driven cold plates or jockey boxes, tents not to exceed ten square feet in size, or other coverings for the temporary wrapping of barrels;**

(3) "Nonrefrigeration keg flow accessories" include, **tap markers, regulators, gauges, vents, nuts, clamps, splicers, keg stickers, washers, couplings, shanks, faucets, non-insulated intoxicating liquor hoses, air hoses, and wall brackets;**

(4) "Permanent point-of-sale advertising materials", advertising items designed to be used within a retail business establishment for an extended period of time to attract consumer attention to the products of a distiller, wholesaler, winemaker, or brewer. Such materials shall only include inside signs (electric, mechanical or otherwise), mirrors, and sweepstakes/contest prizes displayed on the licensed premises;

~~[(4)]~~ (5) "Product display", wine racks, bins, barrels, casks, shelving, or similar items the primary function of which is to hold and display consumer products;

~~[(5)]~~ (6) "Promotion", an advertising and publicity campaign to further the acceptance and sale of the merchandise or products of a distiller, wholesaler, winemaker, or brewer;

~~[(6)]~~ (7) "Temporary point-of-sale advertising materials", advertising items designed to be used for short periods of time. Such materials include, but are not limited to: banners, decorations reflecting a particular season or a limited-time promotion, or paper napkins, coasters, cups, **ice buckets, condiment caddies, napkin holders, bar rail mats, shakers, salt rimmers,** or menus.

4. Notwithstanding other provisions contained herein, the distiller, wholesaler, winemaker, or brewer, or their employees, officers or agents may engage in the following activities with a retail licensee licensed pursuant to this chapter:

(1) The distiller, wholesaler, winemaker, or brewer may give or sell product displays to a retail business if all of the following requirements are met:

(a) The total value of all product displays given or sold to a retail business shall not exceed ~~[three]~~ **four** hundred dollars per brand at any one time in any one retail outlet. There shall be no combining or pooling of the ~~[three]~~ **four** hundred dollar limits to provide a retail business a product display in excess of ~~[three]~~ **four** hundred dollars per brand. The value of a product display is the actual cost to the distiller, wholesaler, winemaker, or brewer who initially purchased such product display. Transportation and installation costs shall be excluded;

(b) All product displays shall bear in a conspicuous manner substantial advertising matter on the product or the name of the distiller, wholesaler, winemaker, or brewer. The name and address of the retail business may appear on the product displays; and

(c) The giving or selling of product displays may be conditioned on the purchase of intoxicating beverages advertised on the displays by the retail business in a quantity necessary for the initial completion of the product display. No other condition shall be imposed by the distiller, wholesaler, winemaker, or brewer on the retail business in order for such retail business to obtain the product display;

(2) Notwithstanding any provision of law to the contrary, the distiller, wholesaler, winemaker, or brewer may provide, give or sell any permanent point-of-sale advertising materials, temporary point-of-sale advertising materials, and consumer advertising specialties to a retail business if all the following requirements are met:

(a) The total value of all permanent point-of-sale advertising materials provided to a retail business by a distiller, wholesaler, winemaker, or brewer shall not exceed ~~[five]~~ **seven** hundred dollars per calendar year, per brand, per retail outlet. **The replacement of similar in appearance, type, and dollar value permanent point-of-sale advertising materials that are damaged and nonfunctioning shall not count towards the maximum of seven hundred dollars per calendar year, per brand, per retail outlet.** The value of permanent point-of-sale advertising materials is the actual cost to the distiller, wholesaler, winemaker, or brewer who initially purchased such item. Transportation and installation costs shall be excluded. All permanent point-of-sale advertising materials provided to a retailer shall be recorded, and records shall be maintained for a period of ~~[three]~~ **two** years;

(b) The provider of permanent point-of-sale advertising materials shall own and otherwise control the use of permanent point-of-sale advertising materials that are provided by any distiller, wholesaler, winemaker, or brewer;

(c) All permanent point-of-sale advertising materials, temporary point-of-sale advertising materials, and consumer advertising specialties shall bear in a conspicuous manner substantial advertising matter about the product or the name of the distiller, wholesaler, winemaker, or brewer. The name, address and logos of the retail business may appear on the permanent point-of-sale advertising materials, temporary point-of-sale advertising materials, or the consumer advertising specialties; and

(d) The distiller, wholesaler, winemaker, or brewer shall not directly or indirectly pay or credit the retail business for using or distributing the permanent point-of-sale advertising materials, temporary point-of-sale advertising materials, or consumer advertising specialties or for any incidental expenses arising from their use or distribution;

(3) A distiller, wholesaler, winemaker, or brewer may give a gift not to exceed a value of one thousand dollars per year to a holder of a temporary permit as ~~[defined]~~ **described** in section 311.482;

(4) The distiller, wholesaler, winemaker, or brewer may sell equipment ~~[or]~~ **and** supplies to a retail business if all the following requirements are met:

(a) The equipment and supplies shall be sold at a price not less than the cost to the distiller, wholesaler, winemaker, or brewer who initially purchased such equipment and supplies; and

(b) The price charged for the equipment and supplies shall be collected in accordance with credit regulations as established in the code of state regulations;

(5) The ~~[distiller,]~~ wholesaler~~[-winemaker]~~ or brewer may **lend, give, rent or sell, and they may** install ~~[dispensing] or repair nonrefrigeration keg flow accessories at the retail business establishment[,-which shall include for the purposes of beer equipment to properly preserve and serve draught beer only and]~~ to facilitate the ~~[delivery to the retailer the brewers and wholesalers may lend, give, rent or sell and they may install or repair any of the following items or render to retail licensees any of the following services: beer coils and coil cleaning, sleeves and wrappings, box couplings and draft arms, beer faucets and tap markers, beer and air hose, taps, vents and washers, gauges and regulators, beer and air distributors, beer line insulation, coil flush hose, couplings and bucket pumps; portable coil boxes, air pumps, blankets or other coverings for temporary wrappings of barrels, coil box overflow pipes, tilting platforms, bumper boards, skids, cellar ladders and ramps, angle irons, ice box grates, floor runways; and damage caused by any beer delivery excluding normal wear and tear and a complete record of equipment furnished and installed and repairs and service made or rendered must be kept by the brewer or wholesalers furnishing, making or rendering same for a period of not less than one year]~~ **dispensing of draft beer;**

(a) **All other dispensing accessories as described in this section that are installed by a wholesaler or brewer to a retailer shall be sold in the same manner as other equipment and supplies, or may be loaned by a wholesaler or brewer to a retailer only if a deposit is given by the retailer in an amount that covers the cost of such dispensing accessories, and the deposit shall not be refunded to the retailer until such loaned dispensing accessories are returned to the wholesaler or brewer. An actual deposit payment, other than a charge to a retailer's account, shall be received if the dispensing accessories are loaned for more than ten days within a thirty day period; and**

(b) **A complete record of dispensing accessories and nonrefrigeration keg flow accessories given, rented, sold, installed, and loaned, and repairs and services made to a retailer shall be retained for a period of not less than two years by the wholesaler or brewer;**

(6) The distiller, wholesaler, winemaker, or brewer may furnish, give or sell coil cleaning service to a retailer of distilled spirits, wine or malt ~~[beverages]~~ **liquor**;

(7) A wholesaler of intoxicating liquor may furnish or give and a retailer may accept a sample of distilled spirits or wine as long as the retailer has not previously purchased the brand from that wholesaler, if all the following requirements are met:

(a) The wholesaler may furnish or give not more than seven hundred fifty milliliters of any brand of distilled spirits and not more than seven hundred fifty milliliters of any brand of wine; if a particular product is not available in a size within the quantity limitations of this subsection, a wholesaler may furnish or give to a retailer the next larger size;

(b) The wholesaler shall keep a record of the name of the retailer and the quantity of each brand furnished or given to such retailer;

(c) For the purposes of this subsection, no samples of intoxicating liquor provided to retailers shall be consumed on the premises nor shall any sample of intoxicating liquor be opened on the premises of the retailer except as provided by the retail license;

(d) For the purpose of this subsection, the word "brand" refers to differences in brand name of product or differences in nature of product; examples of different brands would be products having a difference in: brand name; class, type or kind designation; appellation of origin (wine); viticulture area (wine); vintage date (wine); age (distilled spirits); or proof (distilled spirits); differences in packaging such as a different style, type, size of container, or differences in color or design of a label are not considered different brands;

(8) The distiller, wholesaler, winemaker, or brewer may package and distribute intoxicating beverages in combination with other nonalcoholic items as originally packaged by the supplier for sale ultimately to consumers; notwithstanding any provision of law to the contrary, for the purpose of this subsection, intoxicating liquor and wine wholesalers are not required to charge for nonalcoholic items any more than the actual cost of purchasing such nonalcoholic items from the supplier;

(9) The distiller, wholesaler, winemaker, or brewer may sell or give the retail business newspaper cuts, mats, or engraved blocks for use in the advertisements of the retail business;

(10) The distiller, wholesaler, winemaker, or brewer may in an advertisement list the names and addresses of two or more unaffiliated retail businesses selling its product if all of the following requirements are met:

(a) The advertisement shall not contain the retail price of the product;

(b) The listing of the retail businesses shall be the only reference to such retail businesses in the advertisement;

(c) The listing of the retail businesses shall be relatively inconspicuous in relation to the advertisement as a whole; and

(d) The advertisement shall not refer only to one retail business or only to a retail business controlled directly or indirectly by the same retail business;

(11) Distillers, winemakers, wholesalers, brewers or retailers may conduct a local or national sweepstakes/contest upon a licensed retail premise. The sweepstakes/contest prize dollar amount shall not be limited and can be displayed in a photo, banner, or other temporary point-of-sale advertising materials on a licensed premises, if the following requirements are met:

(a) No money or something of value is given to the retailer for the privilege or opportunity of conducting the sweepstakes or contest; and

(b) The actual sweepstakes/contest prize is not displayed on the licensed premises if the prize value exceeds the permanent point-of-sale advertising materials dollar limit provided in this section;

(12) The distiller, wholesaler, winemaker, or brewer may stock, rotate, rearrange or reset the products sold by such distiller, wholesaler, winemaker, or brewer at the establishment of the retail business so long as the products of any other distiller, wholesaler, winemaker or brewer are not altered or disturbed;

(13) The distiller, wholesaler, winemaker, or brewer may provide a recommended shelf plan or shelf schematic for distilled spirits, wine, or malt beverages;

(14) The distiller, wholesaler, winemaker, or brewer participating in the activities of a retail business association may do any of the following:

(a) Display, serve, or donate its products at or to a convention or trade show;

(b) Rent display booth space if the rental fee is the same paid by all others renting similar space at the association activity;

(c) Provide its own hospitality which is independent from the association activity;

(d) Purchase tickets to functions and pay registration or sponsorship fees if such purchase or payment is the same as that paid by all attendees, participants or exhibitors at the association activity;

(e) Make payments for advertisements in programs or brochures issued by retail business associations if the total payments made for all such advertisements are fair and reasonable;

(f) Pay dues to the retail business association if such dues or payments are fair and reasonable;

(g) Make payments or donations for retail employee training on preventive sales to minors and intoxicated persons, checking identifications, age verification devices, and the liquor control laws;

(h) Make contributions not to exceed one thousand dollars per calendar year for transportation services that shall be used to assist patrons from retail establishments to his or her residence or overnight accommodations;

(i) Donate or serve up to five hundred dollars per event of alcoholic products at retail business association activities; and

(j) Any retail business association that receives payments or donations shall, upon written request, provide the division of alcohol and tobacco control with copies of relevant financial records and documents to ensure compliance with this subsection;

(15) The distiller, wholesaler, winemaker, or brewer may sell or give a permanent outside sign to a retail business if the following requirements are met:

(a) The sign, which shall be constructed of metal, glass, wood, plastic, or other durable, rigid material, with or without illumination, or painted or otherwise printed onto a rigid material or structure, shall bear in a conspicuous manner substantial advertising matter about the product or the name of the distiller, wholesaler, winemaker, or brewer;

(b) The retail business shall not be compensated, directly or indirectly, for displaying the permanent sign or a temporary banner;

(c) The cost of the permanent sign shall not exceed five hundred dollars; and

(d) Temporary banners of a seasonal nature or promoting a specific event shall not be constructed to be permanent outdoor signs and may be provided to retailers. The total cost of temporary outdoor banners provided to a retailer in use at any one time shall not exceed five hundred dollars per brand;

(16) A wholesaler may, but shall not be required to, exchange for an equal quantity of identical product or allow credit against outstanding indebtedness for intoxicating liquor with alcohol content of less than five percent by weight **and malt liquor** that was delivered in a damaged condition or damaged while in the possession of the retailer;

(17) To assure and control product quality, wholesalers at the time of a regular delivery may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of intoxicating liquor with alcohol content of less than five percent by weight **and malt liquor** in its undamaged original carton from the retailer's stock, if the wholesaler replaces the product with an equal quantity of identical product;

(18) In addition to withdrawals authorized pursuant to subdivision (17) of this subsection, to assure and control product quality, wholesalers at the time of a regular delivery may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of intoxicating liquor with alcohol content of less than five percent by weight **and malt liquor** in its undamaged original carton from the retailer's stock and give the retailer credit against outstanding indebtedness for the product if:

(a) The product is withdrawn at least thirty days after initial delivery and within twenty-one days of the date considered by the manufacturer of the product to be the date the product becomes inappropriate for sale to a consumer; and

(b) The quantity of product withdrawn does not exceed the equivalent of twenty-five cases of twenty-four twelve-ounce containers; and

(c) To assure and control product quality, a wholesaler may, but not be required to, give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight **and malt liquor**, in a container with a capacity of four gallons or more, delivered but not used, if the wholesaler removes the product within seven days of the initial delivery; and

(19) Nothing in this section authorizes consignment sales.

5. (1) A distiller, wholesaler, winemaker, or brewer that is also in business as a bona fide producer or vendor of nonalcoholic beverages shall not condition the sale of its alcoholic beverages on the sale of its nonalcoholic beverages nor combine the sale of its alcoholic beverages with the sale of its nonalcoholic beverages, except as provided in subdivision (8) of subsection 4 of this section. The distiller, wholesaler, winemaker, or brewer that is also in business as a bona fide producer or vendor of nonalcoholic beverages may sell, credit, market, and promote nonalcoholic beverages in the same manner in which the nonalcoholic products are sold, credited, marketed, or promoted by a manufacturer or wholesaler not licensed by the supervisor of alcohol and tobacco control.

(2) Any fixtures, equipment, or furnishings provided by any distiller, wholesaler, winemaker, or brewer in furtherance of the sale of nonalcoholic products shall not be used by the retail licensee to store, service, display, advertise, furnish, or sell, or aid in the sale of alcoholic products regulated by the supervisor of alcohol and tobacco control. All such fixtures, equipment, or furnishings shall be identified by the retail licensee as being furnished by a licensed distiller, wholesaler, winemaker, or brewer.

6. Distillers, wholesalers, brewers, and winemakers, or their officers or directors shall not require, by agreement or otherwise, that any retailer purchase any intoxicating liquor from such distillers, wholesalers, brewers, or winemakers to the exclusion in whole or in part of intoxicating liquor sold or offered for sale by other distillers, wholesalers, brewers, or winemakers.

7. ~~[Notwithstanding any other provisions of this chapter to the contrary, a distiller or wholesaler may install dispensing accessories at the retail business establishment, which shall include for the purposes of distilled spirits equipment to properly preserve and serve premixed distilled spirit beverages only. To facilitate delivery to the retailer, the distiller or wholesaler may lend, give, rent or sell and the distiller or wholesaler may install or repair any of the following items or render to retail licensees any of the following services: coils and coil cleaning, draft arms, faucets and tap markers, taps, tap standards, tapping heads, hoses, valves and other minor tapping equipment components, and damage caused by any delivery excluding normal wear and tear. A complete record of equipment furnished and installed and repairs or service made or rendered shall be kept by the distiller or wholesaler furnishing, making or rendering the same for a period of not less than one year]~~ **The distiller, wholesaler, or winemaker may lend, give, rent, or sell and they may install or repair distilled spirits and wine nonrefrigeration keg flow accessories at the retail business establishment to facilitate the dispensing of distilled spirits and wine;**

(1) All other dispensing accessories as described in this section that are installed by a distiller, wholesaler, or winemaker to a retailer shall be sold in the same manner as other equipment and supplies or may be loaned by a distiller, wholesaler, or winemaker to a retailer only if a deposit is given by the retailer in an amount that covers the cost of such dispensing accessories, and the deposit shall not be refunded to the retailer until such loaned dispensing accessories are returned to the distiller, wholesaler, or winemaker. An actual deposit payment, other than a charge to a retailer's account, shall be received if the dispensing accessories are loaned for more than ten days within a thirty day period; and

(2) A complete record of dispensing accessories and nonrefrigeration keg flow accessories given, rented, sold, installed, and loaned, and repairs and services made to a retailer, shall be retained for a period of not less than two years by the distiller, wholesaler, or winemaker.

8. Distillers, wholesalers, winemakers, brewers or their employees or officers shall be permitted to make contributions of money or merchandise to a licensed retail liquor dealer that is a charitable, fraternal, civic, service, veterans', or religious organization as defined in section 313.005, or an educational institution if such contributions are unrelated to such organization's retail operations.

9. Distillers, brewers, wholesalers, and winemakers may make payments for advertisements in programs or brochures of tax-exempt organizations licensed under section 311.090 if the total payments made for all such advertisements are the same as those paid by other vendors.

10. A brewer or manufacturer, its employees, officers or agents may have a financial interest in the retail business for sale of intoxicating liquors at entertainment facilities owned, in whole or in part, by the brewer or manufacturer, its subsidiaries or affiliates including, but not limited to, arenas and stadiums used primarily for concerts, shows and sporting events of all kinds.

11. For the purpose of the promotion of tourism, a wine manufacturer, its employees, officers or agents located within this state may apply for and the supervisor of liquor control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises where sold, if the premises so licensed is in close proximity to the winery. Such premises shall be closed during the hours specified under section 311.290 and may remain open between the hours of 9:00 a.m. and midnight on Sunday. **A wine manufacturer 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.**

12. For the purpose of the promotion of tourism, a person may apply for and the supervisor of liquor control may issue a license to sell intoxicating liquor by the drink at retail for consumption on the premises where sold, but seventy-five percent or more of the intoxicating liquor sold by such licensed person shall be Missouri-produced wines received from manufacturers licensed under section 311.190. Such premises may remain open between the hours of 6:00 a.m. and midnight, Monday through Saturday, and between the hours of 11:00 a.m. and 9:00 p.m. on Sundays.

311.185. 1. Notwithstanding any rule, law, or regulation to the contrary, any person currently licensed in this state or any other state as a wine manufacturer may apply for and the supervisor of alcohol and tobacco control may issue a wine direct shipper license, as provided in this section, which allows a wine manufacturer to ship up to two cases of wine per month directly to a resident of this state who is at least twenty-one years of age for such

resident's personal use and not for resale. Before sending any shipment to a resident of this state, the wine manufacturer shall first obtain a wine direct shipper license as follows:

- (1) File an application with the division of alcohol and tobacco control; and
 - (2) Provide to the division of alcohol and tobacco control a true copy of its current alcoholic beverage license issued in this state or any other state, as well as a copy of the winery license from the Alcohol and Tobacco Tax and Trade Bureau.
2. All wine direct shipper licensees shall:
- (1) Not ship more than two cases of wine per month to any person for his or her personal use and not for resale;
 - (2) Not use any carrier for shipping of wine that is not licensed under this section;
 - (3) Only ship wine that is properly registered with the Alcohol and Tobacco Tax and Trade Bureau;
 - (4) Only ship wine manufactured on the winery premises;
 - (5) Ensure that all containers of wine delivered directly to a resident of this state are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY" or are conspicuously labeled with wording preapproved by the division of alcohol and tobacco control;
 - (6) If the winery is located outside of this state, by January thirty-first, make a report under oath to the supervisor of alcohol and tobacco control setting out the total amount of wine shipped into the state the preceding year;
 - (7) If the winery is located outside of this state, pay the division of alcohol and tobacco control all excise taxes due on the amount to be calculated as if the sale were in this state at the location where the delivery is made;
 - (8) If the winery is located within this state, provide the division of alcohol and tobacco control any additional information deemed necessary beyond that already required for retail sales from the winery tasting room to ensure compliance with this section;
 - (9) Permit the division of alcohol and tobacco control to perform an audit of the wine direct shipper licensees' records upon request; and
 - (10) Be deemed to have consented to the jurisdiction of the division of alcohol and tobacco control or any other state agency and the Missouri courts concerning enforcement of this section and any related laws, rules, or regulations.
3. The wine direct shipper licensee may annually renew its license with the division of alcohol and tobacco control by providing the division of alcohol and tobacco control all required items provided in subsection 1 of this section.
4. Notwithstanding any law, rule, or regulation to the contrary, any carrier may apply for and the supervisor of alcohol and tobacco control may issue an alcohol carrier license, as provided in this section, which allows the carrier to transport and deliver shipments of wine **or powdered alcohol, as defined in section 311.020**, directly to a resident of this state who is at least twenty-one years of age or older. Before transporting any shipment of wine **or powdered alcohol** to a resident of this state, the carrier shall first obtain an alcohol carrier license by filing an application with the division of alcohol and tobacco control.
5. All alcohol carrier licensees shall:
- (1) Not deliver to any person under twenty-one years of age, or to any intoxicated person, or any person appearing to be in a state of intoxication;
 - (2) Require valid proof of identity and age;
 - (3) Obtain the signature of an adult as a condition of delivery; and
 - (4) Keep records of wine **or powdered alcohol** shipped which include the license number and name of the winery or retailer, quantity of wine **or powdered alcohol** shipped, recipient's name and address, and an electronic or paper form of signature from the recipient of the wine **or powdered alcohol**.
6. The division of alcohol and tobacco control may promulgate rules to effectuate 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, 2007, shall be invalid and void.
- 311.188. No person shall ship or deliver powdered alcohol, as defined in section 311.020, to a resident of this state for personal use and not for resale except through an alcohol carrier licensed under subsection 4 of section 311.185.**

311.190. 1. For the privilege of manufacturing wine or brandy, which manufacturing shall be in accordance with all provisions of federal law applicable thereto except as may otherwise be specified in this section, in quantities not to exceed five hundred thousand gallons, not in excess of eighteen percent of alcohol by weight for wine, or not in excess of thirty-four percent of alcohol by weight for brandy, from grapes, berries, other fruits, fruit products, honey, and vegetables produced or grown in the state of Missouri, exclusive of sugar, water and spirits, there shall be paid to and collected by the director of revenue, in lieu of the charges provided in section 311.180, a license fee of five dollars for each five hundred gallons or fraction thereof of wine or brandy produced up to a maximum license fee of three hundred dollars.

2. Notwithstanding the provisions of subsection 1 of this section, a manufacturer licensed under this section may use in any calendar year such wine- and brandy-making material produced or grown outside the state of Missouri in a quantity not exceeding fifteen percent of the manufacturer's wine entered into fermentation in the prior calendar year.

3. In any year when a natural disaster causes substantial loss to the Missouri crop of grapes, berries, other fruits, fruit products, honey or vegetables from which wines are made, the director of the department of agriculture shall determine the percent of loss and allow a certain additional percent, based on the prior calendar year's production of such products, to be purchased outside the state of Missouri to be used and offered for sale by Missouri wineries.

4. **Notwithstanding any other provision of section 311.373 to the contrary**, a manufacturer licensed under this section may purchase and sell bulk or packaged wines or brandies received from other manufacturers licensed under this section and may also purchase in bulk, bottle and sell to duly licensed wineries, wholesalers and retail dealers on any day except Sunday, and a manufacturer licensed under this section may offer samples of wine, may sell wine and brandy in its original package directly to consumers at the winery, and may open wine so purchased by customers so that it may be consumed on the winery premises on Monday through Saturday between 6:00 a.m. and midnight and on Sunday between 9:00 a.m. and 10:00 p.m."; and

Further amend said bill and page, Section 311.300, Lines 4-11, by deleting all of said lines and inserting in lieu thereof the following:

"2. In any place of business licensed in accordance with section 311.200, persons at least eighteen years of age may stock, arrange displays, operate the cash register or scanner connected to a cash register and accept payment for, ~~and~~ sack, ~~for carryout~~ **and carry out to the customer's vehicle**, intoxicating liquor. Delivery of intoxicating liquor away from the licensed business premises cannot be performed by anyone under the age of twenty-one years. Any licensee who employs any person under the age of twenty-one years, as authorized by this subsection, shall, when at least fifty percent of the licensee's gross sales does not consist of nonalcoholic sales, have an employee twenty-one years of age or older on the licensed premises during all hours of operation."; and

Further amend said bill and section, Page 2, Line 28, by inserting after all of said section and line the following:

"311.355. 1. Manufacturers of intoxicating liquor other than beer or wine shall be permitted to offer consumer cash rebate coupons as provided in this subsection:

(1) Consumer cash rebate coupons may be published or advertised by manufacturers in newspapers, magazines and other mass media;

(2) Coupon advertisements may list the amount of the cash rebate, but not the retail price of the intoxicating liquor after the rebate;

(3) Applications for cash rebates must be made directly from the consumer to the manufacturer, and not through retailers or wholesalers;

(4) Cash rebates must be made directly to consumers by manufacturers;

(5) Wholesalers and manufacturers may deliver cash rebate coupons to retailers, either for distribution at the point of sale or in connection with packaging.

2. Manufacturers of intoxicating liquor including beer and wine may offer coupons redeemable for nonalcoholic merchandise, except that such redeemable coupons must be made available without a purchase requirement to consumers at the point of sale, or by request through the mail, or at the retailer's cash register. Redeemable coupons may be published or advertised by manufacturers in newspapers, magazines and other mass

media. Advertisements must state that no purchase is required to obtain the nonalcoholic merchandise and provide information on the procedure to obtain such merchandise. The retail value of the nonalcoholic merchandise shall not be stated in the advertisement or on the product. Wholesalers and manufacturers may deliver these redeemable coupons at the point of sale or in connection with packaging.

3. A wholesaler shall not directly or indirectly fund the cost of any cash rebate coupon program allowed under this section.

4. Notwithstanding any other provision of law to the contrary, except for the provisions of subsection 6 of this section, retailers of intoxicating liquor:

(1) May offer any coupon, premium, prize, rebate, loyalty program, or discount of any type to consumers as an inducement to purchase nonalcoholic merchandise or intoxicating liquor;

(2) Who offer a loyalty program for intoxicating liquor purchases shall include all intoxicating liquors in the loyalty program and the rewards shall be applied at the same rate for all intoxicating liquor purchases; and

(3) May purchase, publish, or display advertisements of intoxicating liquors that list the amount of the rebate or discount and the retail price after the rebate or discount.

5. The retailer shall assume the cost of the sale or discounted price permitted under subsection 4 of this section. No manufacturer shall directly or indirectly fund the cost of any cash rebate coupon program or loyalty program allowed under this subsection.

6. No advertisement of intoxicating liquor or nonintoxicating beer authorized under subsection 4 of this section shall contain a price that is below the retailer's actual cost, including any combination of coupons, premiums, prizes, rebates, loyalty programs, or other discounts.

311.367. 1. The provisions of this section shall apply to all persons, firms, or corporations who own and operate more than one premises licensed to sell intoxicating liquor containing alcohol in excess of five percent by weight at retail.

2. Any person, firm, or corporation described in subsection 1 of this section, with the permission of the supervisor of liquor control, may designate one or more places in this state as a central warehouse to which intoxicating liquors, except beer and other intoxicating malt liquor due to the perishability and limited life span of beer and intoxicating malt liquor, ordered and purchased by a person, firm, or corporation from licensed wholesalers in this state may be delivered by licensed wholesalers in this state and at which intoxicating liquors so owned by a person, firm, or corporation may be stored.

3. Any person, firm, or corporation described in subsection 1 of this section who owns and stores intoxicating liquors in a central warehouse may transfer all or any part of the intoxicating liquors, except beer and other intoxicating malt liquor due to the perishability and limited life span of beer and intoxicating malt liquor, so stored from the central warehouse in this state to any premises licensed to sell intoxicating liquors at retail which is owned and operated by the same person, firm, or corporation and which is located in the state.

311.373. All [malt beverages] intoxicating liquor purchased for resale in this state prior to being resold at retail shall physically come into the possession of a licensed wholesaler and be unloaded in and distributed from the licensed wholesaler's warehouse in this state."; and

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

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

Representative Conway (104) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 2155, Page 2, Section 311.300, Line 28, by inserting immediately after said section and line the following:

"311.735. 1. There is hereby created in the state treasury the "Division of Alcohol and Tobacco Control Fund". The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely by the division of alcohol and tobacco control for the administration, [of this chapter and

implementation, and enforcement of sections 311.010 to 311.880 and sections 407.925 to 407.934, and any duties under such [chapter and] sections relating to licensing, training, technical assistance, and regulations needed for administering, implementing, and enforcing such sections.

2. 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.

3. Appropriation of funds by the general assembly from the fund shall be used to support the division of alcohol and tobacco control for the purposes provided under subsection 1 of this section."; and

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

On motion of Representative Conway (104), **House Amendment No. 2** was adopted.

On motion of Representative Schroer, **HB 2155, as amended**, was ordered perfected and printed.

HB 1397 and **HCS HB 2210** were placed on the Informal Calendar.

HCS HB 1999, relating to rate adjustments outside of general rate proceedings for certain public utilities, was taken up by Representative Bondon.

On motion of Representative Bondon, the title of **HCS HB 1999** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1999, Page 2, Section 386.266, Line 29, by deleting the phrase "**or sewer**"; and

Further amend said bill, page, and section, Line 32, by deleting the phrase "**or sewer**"; and

Further amend said bill, page, and section, Line 34, by deleting the phrase "**or sewer**"; and

Further amend said bill and section, Page 3, Line 82, by deleting the phrase "[or] water, **or sewer**" and inserting in lieu thereof the phrase "or water"; and

Further amend said bill and section, Page 4, Line 95, by inserting immediately after all of said section and line the following:

"393.358. 1. For purposes of this section, the following terms shall mean:

(1) "**Commission**", the Missouri public service commission established under section 386.040;

(2) "**Water corporation**", a corporation with more than one thousand Missouri retail customers that otherwise meets the definition of "water corporation" in section 386.020.

2. Water corporations shall develop a qualification process open to all contractors seeking to provide construction and construction-related services for planned infrastructure projects on the water corporation's distribution system. The water corporation shall specify qualification requirements and goals for contractors seeking to perform such work, including but not limited to experience, performance criteria, safety record and policies, technical expertise, scheduling needs and available resources, supplier diversity and insurance requirements. Contractors that meet the qualification requirements shall be eligible to participate in a competitive bidding process for providing construction and construction-related services for planned infrastructure projects on the water corporation's distribution system, and the contractor making the lowest

and best bid shall be awarded such contract. For contractors not qualifying through the competitive bid process, the water corporation, upon request from the contractor, shall provide information from the process in which the contractor can be informed as to how to be better positioned to qualify for such bid opportunities in the future. Nothing in this section shall be construed as requiring any water corporation to use third parties instead of its own employees to perform such work, to use the contractor qualification or competitive bidding process in the case of an emergency project, or to terminate any existing contract with a contractor prior to its expiration.

3. Within thirty days after the effective date of this section and with the filing of a general rate proceeding initiated by the water corporation, the water corporation shall file a statement with the commission confirming it has established a qualification process meeting the requirements of this section and that such process is used for no less than ten percent of the corporation's external expenditures for planned infrastructure projects on the water corporation's distribution system. The commission shall have the authority to verify the statements to ensure compliance with this section.

4. By December 31, 2020, the commission shall submit a report to the general assembly on the effects of this section, including water corporation compliance, the costs of performing planned infrastructure projects prior to the implementation of this section compared to after the implementation of this section, and any other information regarding the process established under this section that the commission deems necessary."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1999, Page 2, Section 386.266, Line 38, by deleting the word "**usage**." and inserting in lieu thereof the following:

"**usage, but not due to any revenue variation resulting from economic downturns, natural disasters, or any imprudence on behalf of the water or sewer corporation in calculating a previous rate adjustment under this subsection.**"; and

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

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

Which motion was defeated.

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1999, Page 2, Section 386.266, Line 33, by deleting the word "**equal**" and inserting in lieu thereof the word "**approach**"; and

Further amend said bill, page, and section, Line 38, by inserting after the word "**usage**." the following:

"**Provided that rate adjustments under this subsection shall not in the aggregate between general rate proceedings increase rate schedules by two percent.**"; and

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

Representative McCreery moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Bondon, **HCS HB 1999, as amended**, was adopted.

On motion of Representative Bondon, **HCS HB 1999, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - INFORMAL

HCS HB 1261, relating to professional registration, was taken up by Representative Schroer.

On motion of Representative Schroer, **HCS HB 1261** was read the third time and passed by the following vote:

AYES: 087

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Cornejo
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Frederick	Gannon
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Helms	Henderson	Hill	Houghton
Johnson	Justus	Kelley 127	Kelly 141	Knight
Lant	Lauer	Love	Lynch	Marshall
Mathews	McDaniel	Messenger	Morris 140	Muntzel
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Reiboldt	Reisch	Remole	Rhoads
Roeber	Rone	Ross	Rowland 155	Schroer
Shaul 113	Shull 16	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walsh	White	Wiemann
Wood	Mr. Speaker			

NOES: 043

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Berry	Brown 27	Burnett
Burns	Carpenter	Conway 104	Corlew	Curtis
Ellebracht	Ellington	Harris	Hurst	Kidd
Lavender	May	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Moon	Morgan	Morse 151
Mosley	Nichols	Pierson Jr	Pogue	Quade
Razer	Revis	Roberts	Rowland 29	Ruth
Shumake	Stevens 46	Unsicker		

PRESENT: 000

1830 *Journal of the House*

ABSENT WITH LEAVE: 031

Barnes 60	Butler	Conway 10	Cookson	Cross
Franklin	Franks Jr	Gray	Green	Higdon
Houx	Kendrick	Kolkmeyer	Korman	Lichtenegger
Matthiesen	McGaugh	Miller	Mitten	Neely
Newman	Peters	Rehder	Roden	Runions
Smith 85	Smith 163	Walker 74	Washington	Wessels
Wilson				

VACANCIES: 002

Representative Plocher declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 2286, relating to local log trucks, was taken up by Representative Kelly (141).

On motion of Representative Kelly (141), **HB 2286** was read the third time and passed by the following vote:

AYES: 120

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Berry
Black	Bondon	Brown 27	Brown 57	Burns
Carpenter	Chipman	Conway 104	Corlew	Cornejo
Curtis	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Frederick	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Lant
Lauer	Lavender	Love	Lynch	Mathews
May	McCann Beatty	McCreery	McDaniel	McGee
Meredith 71	Messenger	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roeber	Rone
Ross	Rowland 155	Rowland 29	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	White	Wiemann	Wood	Mr. Speaker

NOES: 005

Bernskoetter	Burnett	Hurst	Moon	Pogue
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 035

Bahr	Brattin	Butler	Christofanelli	Conway 10
Cookson	Cross	Franklin	Franks Jr	Gray
Green	Higdon	Houx	Kendrick	Kolkmeier
Korman	Lichtenegger	Marshall	Matthiesen	McGaugh
Merideth 80	Miller	Mitten	Neely	Newman
Peters	Rehder	Roden	Runions	Smith 85
Smith 163	Walker 74	Washington	Wessels	Wilson

VACANCIES: 002

Representative Plocher declared the bill passed.

HB 2360, relating to public safety officer or employee survivor benefits, was taken up by Representative Redmon.

On motion of Representative Redmon, **HB 2360** was read the third time and passed by the following vote:

AYES: 125

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Carpenter	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtis
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Ellington	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Frederick	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Lant
Lauer	Lavender	Love	Lynch	Mathews
May	McCann Beatty	McCreery	McDaniel	McGee
Meredith 71	Merideth 80	Messenger	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roeber
Rone	Ross	Rowland 155	Rowland 29	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	White	Wiemann	Wood

NOES: 004

Hurst	Marshall	Moon	Pogue
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PRESENT: 000

1832 *Journal of the House*

ABSENT WITH LEAVE: 032

Bahr	Butler	Conway 10	Cookson	Cross
Franklin	Franks Jr	Gray	Green	Higdon
Houx	Kendrick	Kolkmeyer	Korman	Lichtenegger
Matthiesen	McGaugh	Miller	Mitten	Neely
Newman	Peters	Rehder	Roden	Runions
Smith 85	Smith 163	Walker 74	Washington	Wessels
Wilson	Mr. Speaker			

VACANCIES: 002

Representative Plocher declared the bill passed.

HB 2117, relating to eye drops for newborn infants, was taken up by Representative Pfautsch.

On motion of Representative Pfautsch, **HB 2117** was read the third time and passed by the following vote:

AYES: 126

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 27	Brown 57
Burnett	Burns	Carpenter	Chipman	Christofanelli
Conway 104	Corlew	Cornejo	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Frederick	Gannon
Gregory	Grier	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Knight	Lant	Lavender
Love	Lynch	Marshall	Mathews	May
McCann Beatty	McCreery	McDaniel	McGee	Meredith 71
Merideth 80	Messenger	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roeber
Rone	Ross	Rowland 155	Rowland 29	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walsh	White	Wiemann
Wood				

NOES: 002

Ellington	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 033

Bahr	Barnes 60	Butler	Conway 10	Cookson
Cross	Franklin	Franks Jr	Gray	Green
Haahr	Higdon	Kendrick	Kolkmeyer	Korman
Lauer	Lichtenegger	Matthiesen	McGaugh	Miller
Mitten	Neely	Newman	Peters	Rehder
Roden	Runions	Smith 85	Walker 74	Washington
Wessels	Wilson	Mr. Speaker		

VACANCIES: 002

Representative Plocher declared the bill passed.

Representative Rhoads assumed the Chair.

HCS HB 1591, relating to watercraft operation, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 1591** was read the third time and passed by the following vote:

AYES: 124

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Carpenter	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtis
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Frederick
Gannon	Green	Gregory	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelly 141	Kidd	Knight	Lant
Lavender	Love	Lynch	Mathews	May
McCann Beatty	McCreery	McDaniel	McGee	Meredith 71
Merideth 80	Messenger	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roeber	Rone
Ross	Rowland 155	Rowland 29	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	White	Wiemann	Wood	

NOES: 004

Ellington	Marshall	Moon	Pogue
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PRESENT: 000

1834 *Journal of the House*

ABSENT WITH LEAVE: 033

Barnes 60	Butler	Conway 10	Cookson	Cross
Franklin	Franks Jr	Gray	Haahr	Higdon
Kelley 127	Kendrick	Kolkmeyer	Korman	Lauer
Lichtenegger	Matthiesen	McGaugh	Miller	Mitten
Neely	Newman	Peters	Rehder	Roden
Runions	Smith 85	Swan	Walker 74	Washington
Wessels	Wilson	Mr. Speaker		

VACANCIES: 002

Representative Rhoads declared the bill passed.

HB 2336 and **HCS HB 2129** were placed on the Informal Calendar.

HCS HB 1264, relating to certain civil actions, was taken up by Representative Schroer.

On motion of Representative Schroer, **HCS HB 1264** was read the third time and passed by the following vote:

AYES: 100

Adams	Alferman	Anderson	Andrews	Austin
Bangert	Baringer	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Burns	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Frederick	Gannon	Green	Gregory	Grier
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kidd	Knight
Lant	Love	Lynch	Mathews	McDaniel
Meredith 71	Messenger	Morris 140	Morse 151	Pfautsch
Phillips	Pietzman	Pike	Plocher	Razer
Redmon	Reiboldt	Reisch	Remole	Revis
Rhoads	Roeber	Rone	Ross	Rowland 155
Rowland 29	Ruth	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	White	Wiemann	Wood

NOES: 027

Anders	Arthur	Barnes 28	Beck	Brown 27
Burnett	Carpenter	Curtis	Ellington	Hurst
Lavender	Marshall	May	McCann Beatty	McCreery
McGee	Merideth 80	Moon	Morgan	Mosley
Nichols	Pierson Jr	Pogue	Quade	Roberts
Stevens 46	Unsicker			

PRESENT: 000

ABSENT WITH LEAVE: 034

Bahr	Barnes 60	Butler	Conway 10	Cookson
Cross	Franklin	Franks Jr	Gray	Haahr
Higdon	Kendrick	Kolkmeyer	Korman	Lauer
Lichtenegger	Matthiesen	McGaugh	Miller	Mitten
Muntzel	Neely	Newman	Peters	Rehder
Roden	Runions	Schroer	Smith 85	Walker 74
Washington	Wessels	Wilson	Mr. Speaker	

VACANCIES: 002

Representative Rhoads declared the bill passed.

HB 1249, relating to municipal courts, was taken up by Representative Plocher.

On motion of Representative Plocher, **HB 1249** was read the third time and passed by the following vote:

AYES: 123

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Carpenter	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Frederick	Gannon
Green	Gregory	Grier	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Knight	Lant	Lavender
Love	Lynch	Marshall	Mathews	May
McCann Beatty	McCreery	McDaniel	McGee	Meredith 71
Merideth 80	Messenger	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Nichols	Pfausch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Reiboldt	Remole	Revis
Rhoads	Roberts	Roeber	Rone	Ross
Rowland 155	Rowland 29	Ruth	Schroer	Shaul 113
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
White	Wiemann	Wood		

NOES: 005

DeGroot	Hurst	Moon	Pogue	Reisch
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PRESENT: 000

ABSENT WITH LEAVE: 033

Bahr	Butler	Conway 10	Cookson	Cross
Ellington	Franklin	Franks Jr	Gray	Haahr
Higdon	Kendrick	Kolkmeyer	Korman	Lauer
Lichtenegger	Matthiesen	McGaugh	Miller	Mitten
Neely	Newman	Peters	Rehder	Roden
Runions	Shull 16	Smith 85	Walker 74	Washington
Wessels	Wilson	Mr. Speaker		

VACANCIES: 002

Representative Rhoads declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

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

HCR 102 - Economic Development

REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 775 - Fiscal Review

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Houghton reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SS SCS SBs 627 & 925**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Bernskoetter, Eggleston, Harris, Houghton, Hurst, Kelly (141), Knight, Love, Morse (151), Reiboldt and Rone

Noes (3): Lavender, McCreery and Stevens (46)

Absent (0)

Committee on General Laws, Chairman Cornejo reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2302**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Anderson, Arthur, Carpenter, Cornejo, Evans, Mathews, McCreery, Merideth (80), Roeber, Schroer and Taylor

Noes (0)

Absent (2): Basye and Cross

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 2370**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Anderson, Basye, Carpenter, Cornejo, Cross, Evans, Mathews, McCreery, Merideth (80), Roeber and Schroer

Noes (0)

Absent (2): Arthur and Taylor

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SB 666**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (11): Anderson, Basye, Carpenter, Cornejo, Cross, Evans, Mathews, McCreery, Merideth (80), Roeber and Schroer

Noes (0)

Absent (2): Arthur and Taylor

Committee on Health and Mental Health Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Arthur, Frederick, Morris (140), Pfautsch, Smith (163), Stephens (128), Stevens (46), Walker (74) and Wiemann

Noes (0)

Absent (2): Haefner and Messenger

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 2209**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Arthur, Frederick, Morris (140), Pfautsch, Smith (163), Stephens (128), Stevens (46), Walker (74) and Wiemann

Noes (0)

Absent (2): Haefner and Messenger

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 2706**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Arthur, Frederick, Morris (140), Pfautsch, Smith (163), Stephens (128), Stevens (46), Walker (74) and Wiemann

Noes (0)

Absent (2): Haefner and Messenger

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SB 660**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Arthur, Frederick, Morris (140), Pfautsch, Smith (163), Stephens (128), Stevens (46), Walker (74) and Wiemann

Noes (0)

Absent (2): Haefner and Messenger

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **SB 840**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Arthur, Frederick, Morris (140), Pfautsch, Smith (163), Stephens (128), Stevens (46), Walker (74) and Wiemann

Noes (0)

Absent (2): Haefner and Messenger

Special Committee on Innovation and Technology, Chairman Berry reporting:

Mr. Speaker: Your Special Committee on Innovation and Technology, to which was referred **HB 2669**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (8): Baringer, Berry, Davis, Evans, Gray, Johnson, Pfautsch and Ruth

Noes (2): Korman and Unsicker

Absent (4): Fitzwater, Grier, Lauer and Pierson Jr.

ADJOURNMENT

Representative Austin moved that the House stand adjourned until 9:30 a.m., Wednesday, April 18, 2018, for the administrative order of business and that the House hereby grants leave for committees to meet during the administrative order of business.

Which motion was adopted.

COMMITTEE HEARINGS

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 18, 2018, 8:30 AM, House Hearing Room 1.

Executive session will be held: SB 659, SS SCS SB 782

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

CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HCB 20

Executive session will be held: HB 1986

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

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 24, 2018, 8:00 AM, House Hearing Room 5.

Public hearing will be held: SCS SB 953, SS SCS SB 752, SS SCS SB 652, HB 2624

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

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 18, 2018, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 2458, SS SCS SBs 603, 576 & 898

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

FISCAL REVIEW

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 6.

Executive session will be held: HB 2336

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

HEALTH AND MENTAL HEALTH POLICY

Wednesday, April 18, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 7.

Public hearing will be held: HB 2433, HB 2463, HB 2509, HB 2611

Executive session will be held: HB 2293

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

HIGHER EDUCATION

Wednesday, April 18, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 5.

Public hearing will be held: HB 2408

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

JOINT COMMITTEE ON EDUCATION

Monday, April 30, 2018, 12:00 PM, House Hearing Room 6.

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

Election of Chair and Co-Chair, outgoing member recognition, discussion of interim activities.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Monday, April 30, 2018, 2:00 PM, House Hearing Room 5.

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

2nd quarter meeting..

JUDICIARY

Thursday, April 19, 2018, 8:15 AM, House Hearing Room 7.

Public hearing will be held: SB 780

Executive session will be held: SB 780

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

Witness testimony will be limited to 3 minutes unless approved by the Chair.

RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, April 18, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 3.

Executive session will be held: HCS HB 1236, HB 1847, HB 1878, HCS HB 2324, HCS HB 2332, HCS HB 2354, HCS HB 2555, HCS SB 681, SB 757, SB 768, SCS SB 814, HCS SS SCS SBs 894 & 921, SCS SB 990

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

RULES - LEGISLATIVE OVERSIGHT

Wednesday, April 18, 2018, 12:15 PM or upon conclusion of morning session (whichever is later), House Hearing Room 1.

Executive session will be held: HCS SS SCS SB 547, SB 625, HCS SB 806, HCS SS SB 870, HB 2159, HB 2495, HB 2589

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

SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT

Wednesday, April 18, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 4.

Public hearing will be held: SS#2 SCS SB 590

Executive session will be held: HB 1825, HB 2548, SB 695

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

SPECIAL COMMITTEE ON TOURISM

Thursday, April 19, 2018, 9:00 AM, House Hearing Room 7.

Executive session will be held: SCS SBs 999 & 1000, HCR 105, HCR 98

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

SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

Wednesday, April 18, 2018, 12:00 PM, Room B-22, 201 West Capitol Ave, Jefferson City, MO.

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

This is a closed meeting pursuant to HR 5565 and Article III, Section 18 of the Missouri Constitution.

SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT

Thursday, April 19, 2018, 8:00 AM, Room B-22, 201 West Capitol Ave; Jefferson City MO.

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

This is a closed meeting pursuant to HR 5565 and Article III, Section 18 of the Missouri Constitution.

TRANSPORTATION

Wednesday, April 18, 2018, 8:00 AM, House Hearing Room 5.

Executive session will be held: SB 683, SS SCS SB 707, SS SB 881, SB 919

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

UTILITIES

Wednesday, April 18, 2018, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SCS SB 598, SS SB 705, SB 727, SCS SB 917

Executive session will be held: SS SB 705

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

HOUSE CALENDAR

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 18, 2018

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 61 - Shumake

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2017 - Fitzpatrick

HCS HB 2018 - Fitzpatrick

HOUSE COMMITTEE BILLS FOR PERFECTION

HCB 11 - Dinkins

HCB 16 - Houghton

HCB 14 - Reiboldt

HCB 15 - Frederick

HCB 23 - Dogan

HOUSE BILLS FOR PERFECTION - REVISION

HRB 2 - Shaul (113)

HOUSE BILLS FOR PERFECTION

HCS HB 2407 - Ruth

HB 2438 - Remole

HB 2460 - Vescovo

HB 1590 - Smith (163)

HB 2381 - Sommer

HB 2352 - Fraker

HB 1728 - Lant

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HB 1378 - Trent
HCS HB 1424 - Roeber
HB 1569 - Christofanelli
HCS HB 1549 - Alferman
HB 1626 - Morris (140)
HCS HB 1363 - Kidd
HB 1290 - Henderson
HCS HB 1248 - Pike
HCS HB 2364 - Bondon
HCS HB 2356 - Haefner
HB 1906 - Higdon
HCS HB 2038 - Fraker
HCS HB 1273 - Kendrick
HCS HB 1577 - Wiemann
HCS HB 1870 - Barnes (60)
HB 1901 - Cross
HB 1972 - Wiemann
HB 1431 - Barnes (28)
HB 1454 - May
HCS HB 1554 - Neely
HB 1795 - Bernskoetter
HCS HB 2157 - Bahr
HB 2632 - Dinkins
HB 2607 - Knight

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 1457 - Lauer
HB 1715 - Phillips
HB 1470 - Kelley (127)
HCS HB 1491 - Kelley (127)
HB 1767 - Arthur
HB 1966 - Cornejo
HB 2139 - Morris (140)
HB 1846 - Cornejo
HB 1485 - Brown (57)
HCS HB 2247 - Roeber
HB 2179 - Richardson
HB 2384 - Barnes (60)
HB 1662 - Swan
HCS HB 1857 - Shaul (113)
HCS HB 1803 - Matthiesen
HCS HB 1739 - Smith (163)
HB 1397 - Shaul (113)
HCS HB 2210 - Christofanelli

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

HCR 55 - Basye

HOUSE BILLS FOR THIRD READING

HCS HB 1611 - Trent
HCS HB 2119 - Mathews
HCS HB 2140 - Haefner

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 2336, (Fiscal Review 4/10/18) - Tate
HCS HB 2129 - Cookson

SENATE BILLS FOR THIRD READING

HCS SCS SB 623 - Plocher
HCS SB 569 - Fraker
SS SCS SB 549 - Rehder
SS SCS SB 593 - Shull (16)
SB 594 - Engler
SB 573 - Davis
HCS SS SB 608 - Rhoads
SB 626 - Kidd
SB 708 - Fitzpatrick
HCS SS SCS SB 775, (Fiscal Review 4/17/18) - Fitzpatrick
HCS SS SCS SB 826, E.C. - Ross
SCS SB 644 - Brattin
HCS SCS SB 718 - Rhoads

SENATE BILLS FOR THIRD READING - INFORMAL

SB 649 - Engler

BILLS IN CONFERENCE

SS SCS HB 1291, as amended - Henderson

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 1 - Fitzpatrick
CCS SCS HCS HB 2 - Fitzpatrick
CCS SCS HCS HB 3 - Fitzpatrick
CCS SCS HCS HB 4 - Fitzpatrick

CCS SCS HCS HB 5 - Fitzpatrick
CCS SCS HCS HB 6 - Fitzpatrick
CCS SCS HCS HB 7 - Fitzpatrick
CCS SCS HCS HB 8 - Fitzpatrick
CCS SCS HCS HB 9 - Fitzpatrick
CCS SCS HCS HB 10 - Fitzpatrick
CCS SCS HCS HB 11 - Fitzpatrick
CCS SCS HCS HB 12 - Fitzpatrick
SCS HCS HB 13 - Fitzpatrick
CCS SCS HCS HB 17 - Fitzpatrick
SCS HCS HB 18 - Fitzpatrick