

# JOURNAL OF THE HOUSE

First Regular Session, 98th GENERAL ASSEMBLY

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TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 25, 2015

The House met pursuant to adjournment.

Speaker Diehl in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*We know that in everything God works for good with those who love him. (Romans 8:28)*

Eternal Spirit of God, the light of the minds that seek You, the life of the spirits that find You, and the love of the souls that serve You, grant unto us a renewal of heart as we wait upon You in this our morning prayer. By Your Spirit make us ready for the responsibilities of this day, equal to every experience and adequate to serve the present age.

The world around us is full of the rumblings of discontent and disturbances which breed disorder. In these hours help us to keep our faith, that strong in You we may face these facts courageously and confidently, ever seeking liberty and justice and peace for all people.

Bless our State and Canada with Your favor and strengthen us to walk in the way of Your commandments.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Marin McMenus and Nicole Lewis.

The Journal of the twenty-seventh day was approved as printed.

## HOUSE RESOLUTIONS

Representative Smith offered House Resolution No. 564.

Representative Smith offered House Resolution No. 565.

## SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

**HB 1025**, relating to wearing protective gear while operating a motorcycle.

**HB 1026**, relating to notice of sales tax modifications.

**HB 1027**, relating to eminent domain powers of utilities.

**HB 1028**, relating to Fire Protection District Board of Directors' filing fees.

**HB 1029**, relating to school directors for urban school districts.

**HB 1030**, relating to school directors for urban school districts.

**HB 1031**, relating to health insurance rates.

**HB 1032**, relating to the Electronic Products Recycling and Reuse Act.

**HB 1033**, relating to unborn children.

**HB 1034**, relating to state data centers.

**HB 1035**, relating to school directors for urban school districts.

**HB 1036**, relating to school directors for urban school districts.

**HB 1037**, relating to compensation for the license collector of the City of St. Louis.

**HB 1038**, relating to motions to modify child support obligations.

**HB 1039**, relating to filing fees for presidential elections.

**HB 1040**, relating to title insurance.

**HB 1041**, relating to elections.

**HB 1042**, relating to design-build contracts.

**HB 1043**, relating to income taxes.

**HB 1044**, relating to an armed offender docket in the Circuit Court of Jackson County.

**HB 1045**, relating to community children's services funds.

**HB 1046**, relating to execution of judgments.

**HB 1047**, relating to state debt owed by noncustodial parents.

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Allen reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### PERFECTION OF HOUSE BILLS

**HB 32**, relating to the Big Government Get Off My Back Act, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 32** was ordered perfected and printed.

**HCS HB 130**, relating to a prescription drug monitoring program, was taken up by Representative Rehder.

On motion of Representative Rehder, **HCS HB 130** was adopted.

On motion of Representative Rehder, **HCS HB 130** was ordered perfected and printed by the following vote:

AYES: 105

Alferman	Allen	Anders	Andrews	Arthur
Austin	Bahr	Basye	Beard	Berry
Black	Brown 94	Burns	Cierpiot	Cookson
Comejo	Dohrman	Dunn	Eggleston	Engler
Entlicher	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Gannon	Gardner	Gosen	Green
Haahr	Hansen	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Jones	Justus	Keeney	Kelley
Kendrick	King	Kirkton	Kolkmeier	Kratky
LaFaver	Lair	Lant	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Nichols	Norr	Otto
Pace	Pfäutsch	Phillips	Pierson	Pike
Rehder	Reiboldt	Remole	Rhoads	Richardson
Rizzo	Roden	Roeber	Rowden	Rowland
Runions	Shull	Shumake	Sommer	Swan
Walker	Webber	Wood	Zerr	Mr. Speaker

NOES: 046

Adams	Anderson	Barnes	Bemskoetter	Bondon
Brattin	Brown 57	Burlison	Chipman	Colona
Conway 104	Corlew	Crawford	Curtman	Davis
Dogan	Dugger	Ellington	English	Fitzpatrick
Frederick	Hicks	Hill	Hurst	Johnson

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Kidd	Koenig	Korman	Marshall	May
Moon	Newman	Parkinson	Pietzman	Pogue
Ross	Ruth	Shaul	Solon	Spencer
Taylor	Vescovo	Walton Gray	White	Wiemann
Wilson				

PRESENT: 000

ABSENT WITH LEAVE: 011

Butler	Carpenter	Conway 10	Cross	Curtis
Haefner	Lauer	Peters	Redmon	Rone
Smith				

VACANCIES: 001

On motion of Representative Richardson, the House recessed until 2:30 p.m.

### AFTERNOON SESSION

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

### THIRD READING OF HOUSE BILLS

**HB 190**, relating to the protection of women's health care, was taken up by Representative Swan.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 114

Alfeman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Comejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Keeney	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pietzman
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Roden	Roeber
Ross	Rowden	Rowland	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	White

Wiemann                      Wood                              Zerr                              Mr. Speaker

NOES: 039

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

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 57	Curtis	Lauer	McDonald	McManus
Peters	Rone	Smith	Wilson	

VACANCIES: 001

On motion of Representative Swan, **HB 190** was read the third time and passed by the following vote:

AYES: 119

Alfeman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Comejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus
Keeney	Kelley	Kidd	King	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Roden	Roeber	Ross
Rowden	Rowland	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	White
Wiemann	Wood	Zerr	Mr. Speaker	

NOES: 035

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Dunn	Ellington	Gardner
Green	Hubbard	Hummel	Kendrick	Kirkton

LaFaver	Lavender	May	McCann Beatty	McCreery
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Curtis	Lauer	McDonald	McManus	Peters
Rone	Smith	Wilson		

VACANCIES: 001

Speaker Diehl declared the bill passed.

**HCS HB 42**, relating to elementary and secondary education, was taken up by Representative Wood.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 110

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Bead	Bemskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Comejo	Crawford	Cross
Curtman	Davis	Dogan	Dohman	Dugger
Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kidd	King	Koenig
Kolkmeyer	Lair	Lant	Leara	Lichtenegger
Love	Lynch	Marshall	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Roden	Roeber	Ross	Rowland	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor	Vescovo	Walker
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 043

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Meredith	Mims	Mitten

Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Smith	Walton Gray	Webber		

PRESENT: 000  
 ABSENT WITH LEAVE: 009

English	Hough	Kelley	Korman	Lauer
Peters	Rone	Rowden	Zerr	

VACANCIES: 001

On motion of Representative Wood, **HCS HB 42** was read the third time and passed by the following vote:

AYES: 114

Alferman	Allen	Anders	Anderson	Andrews
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Corlew	Comejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohman	Dugger	Eggleston	Engler	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kidd	King	Koenig
Kolkmeier	Lair	Lant	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Pfautsch	Phillips	Pierson	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Roden	Roeber	Ross
Rowden	Rowland	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Swan
Taylor	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 043

Adams	Arthur	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellington	English
Gardner	Green	Hummel	Kendrick	Kirkton
Kratky	LaFaver	Lavender	Marshall	May
McCann Beatty	McCreery	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pogue	Rizzo	Smith
Spencer	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelley                      Korman                      Lauer                      Peters                      Rone

VACANCIES: 001

Speaker Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 115

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Corlew	Comejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohman	Dugger	Eggleston	Engler
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Gosen
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hurst	Johnson
Jones	Justus	Keeney	Kidd	King
Koenig	Kolkmeier	Lair	Lant	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Mitten
Muntzel	Neely	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Roden	Roeber
Ross	Rowden	Rowland	Runions	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Swan	Taylor	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 041

Adams	Anders	Arthur	Burns	Butler
Carpenter	Dunn	Ellington	English	Gardner
Green	Hummel	Kendrick	Kirkton	Kratky
LaFaver	Lavender	Marshall	May	McCann Beatty
McCreery	McDonald	McManus	McNeil	Meredith
Mims	Montecillo	Moon	Morgan	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pogue	Rizzo	Smith	Spencer	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 006

Kelley                      Korman                      Lauer                      Morris                      Peters  
Rone

VACANCIES: 001

**PERFECTION OF HOUSE BILLS**

**HCS HB 141**, relating to beef commodity merchandising program fees, was taken up by Representative Reiboldt.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 141, Page 1, Section 275.352, Line 17, by inserting the word "**s**hall" immediately after the word "**d**irector"; and

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

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

Speaker Pro Tem Hoskins assumed the Chair.

On motion of Representative Reiboldt, **HCS HB 141** was adopted.

On motion of Representative Reiboldt, **HCS HB 141** was ordered perfected and printed by the following vote, the ayes and noes having been demanded by Representative McCreery:

AYES: 090

Alferman	Allen	Anders	Andrews	Austin
Barnes	Basye	Beard	Bemskoetter	Black
Brown 57	Brown 94	Bums	Cierpiot	Conway 104
Cookson	Corlew	Comejo	Crawford	Cross
Davis	Dohrman	Dugger	Eggleston	Engler
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Gosen
Green	Haahr	Haefner	Hansen	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Jones	Keeney
Kelley	King	Kolkmeyer	Korman	LaFaver
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Mathews	McDaniel	McGaugh	Muntzel
Neely	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Remole	Rhoads	Richardson
Rizzo	Roden	Roeber	Rowden	Ruth
Shull	Shumake	Solon	Spencer	Swan
Walker	Wiemann	Wood	Zer	Mr. Speaker

NOES: 066

Adams	Anderson	Arthur	Bahr	Bondon
Brattin	Burlison	Butler	Carpenter	Chipman
Conway 10	Curtis	Curtman	Dogan	Dunn
Ellington	English	Gardner	Harris	Hicks
Hurst	Johnson	Justus	Kendrick	Kidd
Kirkton	Koenig	Kratky	Lavender	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McManus	McNeil	Meredith	Messenger	Miller

Mims	Mitten	Montecillo	Moon	Morgan
Morris	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pietzman	Pogue	Rehder
Ross	Rowland	Runions	Smith	Sommer
Taylor	Vescovo	Walton Gray	Webber	White
Wilson				

PRESENT: 000  
 ABSENT WITH LEAVE: 006

Berry	Colona	Lauer	Peters	Rone
Shaul				

VACANCIES: 001

**HB 29**, relating to foreign ownership of agricultural land, was taken up by Representative Dugger.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 112

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

NOES: 040

Adams	Anders	Arthur	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Ellington
Green	Harris	Hubbard	Kendrick	Kirkton
Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman

Nichols	Norr	Otto	Pace	Pierson
Rizzo	Runions	Smith	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Berry	Colona	Fitzwater 144	Gardner	Hummel
Kelley	Lauer	Peters	Rone	Shaul

VACANCIES: 001

On motion of Representative Dugger, **HB 29** was ordered perfected and printed.

**HB 100**, relating to certified commercial pesticide applicators, was taken up by Representative Gosen.

On motion of Representative Gosen, **HB 100** was ordered perfected and printed.

**HB 233**, relating to corporate registration report requirements for farming corporations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 233** was ordered perfected and printed.

Representative Hough assumed the Chair.

**HCS HB 388**, relating to weight limitations for vehicles hauling livestock and agricultural products, was taken up by Representative Hoskins.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 388, Page 13, Section 304.180, Line 151, by inserting immediately after said line the following:

"301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer's model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the purchaser may forward to the director of revenue the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate to the purchaser of the vehicle. The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such certificate may be granted within thirty days of the submission of a request.

3. Upon receipt of a properly completed application for a junking certificate, the director of revenue shall issue to the applicant a junking certificate which shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a certificate of title shall not again be issued for such vehicle; except that, the initial purchaser shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of title or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller's name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. [Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of title, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes.] The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. 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, 2012, shall be invalid and void."; and

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

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

Representative Hough requested a parliamentary ruling.

**House Amendment No. 1** was withdrawn.

On motion of Representative Hoskins, **HCS HB 388** was adopted.

On motion of Representative Hoskins, **HCS HB 388** was ordered perfected and printed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

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

**HCR 35** - Agriculture Policy

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

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

**HJR 20** - Emerging Issues

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 32** - Fiscal Review

**HCS HB 50** - Fiscal Review

**HCS HB 388** - Fiscal Review

**HB 165** - Small Business

**HB 467** - Agriculture Policy

**HB 490** - Emerging Issues

**HB 504** - Elections

**HB 567** - Trade and Tourism

**HB 603** - Special Committee on Urban Issues

**HB 605** - Government Efficiency

**HB 628** - Public Safety and Emergency Preparedness

**HB 652** - Economic Development and Business Attraction and Retention

**HB 682** - Small Business

**HB 739** - Special Committee on Urban Issues

**HB 765** - Civil and Criminal Proceedings

**HB 842** - Public Safety and Emergency Preparedness

**HB 844** - Emerging Issues

**HB 882** - Agriculture Policy

- HB 892** - Economic Development and Business Attraction and Retention
- HB 910** - Trade and Tourism
- HB 918** - Trade and Tourism
- HB 924** - Transportation
- HB 927** - Ways and Means
- HB 932** - Health and Mental Health Policy
- HB 934** - Government Oversight and Accountability
- HB 940** - Pensions
- HB 965** - Health and Mental Health Policy
- HB 976** - Children and Families
- HB 977** - Children and Families
- HB 984** - Civil and Criminal Proceedings
- HB 987** - Public Safety and Emergency Preparedness
- HB 994** - Local Government
- HB 1002** - Transportation
- HB 1003** - Emerging Issues in Education
- HB 1005** - Energy and the Environment
- HB 1006** - Civil and Criminal Proceedings
- HB 1010** - Employment Security
- HB 1020** - Health and Mental Health Policy
- HB 1021** - Civil and Criminal Proceedings
- HB 1022** - Property, Casualty, and Life Insurance
- HB 1039** - Elections
- HB 1041** - Elections
- HB 1042** - Emerging Issues

### **COMMITTEE REPORTS**

#### **Committee on Consumer Affairs**, Chairman Parkinson reporting:

Mr. Speaker: Your Committee on Consumer Affairs, to which was referred **HJR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

Mr. Speaker: Your Committee on Consumer Affairs, to which was referred **HB 571**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

#### **Committee on Corrections**, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 129**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND House Bill No. 129, Page 1, Section 217.243, Line 3, by inserting immediately after said line the following:

**"2. Inmates shall be charged a copay fee except for the following;**

- (a) Health care services based on staff referrals;**
- (b) Staff approved follow up treatment for chronic illnesses;**
- (c) Preventive health care;**
- (d) Emergency services;**
- (e) Prenatal Care;**
- (f) Diagnosis or treatment of chronic infectious diseases;**
- (g) Mental health care; or**
- (h) Substance abuse treatment.**

**3. Inmates without funds will not be charged provided the inmate is considered to be indigent and are unable to be pay the health care services fee.**

**4. The department is authorized to promulgate rules necessary to implement the provisions of this section.";** and

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

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 632**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

**Committee on Economic Development and Business Attraction and Retention,**  
Chairman Rowden reporting:

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 497**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

*House Committee Amendment No. 1*

AMEND House Bill No. 497, Page 5, Section 144.810, Lines 54-57, by deleting all of said lines and renumbering said section accordingly; and

Further amend said page and section, Line 64, by inserting at the end of said line the word "**and**"; and

Further amend said page and section, Lines 68-73, by deleting all of said lines and inserting in lieu thereof the following:

**"percent of the county average wage.**

**Any facility which was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2015, and such facility was employed prior to August 28, 2015, by any other person or persons in the operation of a data storage center shall not be considered a new facility. A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;"**; and

Further amend said bill, Page 7, Section 144.810, Line 125, by deleting the words "**or comparable data**"; and

Further amend said page and section, Line 134, by inserting at the end of said line the following:

"The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved."; and

Further amend said page and section, Line 147, by inserting at the end of said line the following:

"The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may still be eligible for the exemption under subsection 2 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years. This subdivision shall not be construed to relieve the project taxpayer of paying an average of one hundred fifty percent of the county average wage on all new jobs at the facility.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section."; and

Further amend said section, Page 8, Lines 161-165, by deleting all of said lines and inserting in lieu thereof the words "**center; and**"; and

Further amend said page and section, Line 172, by deleting the words "**or comparable data**"; and

Further amend said page and section, Line 182, by inserting at the end of said line the following:

"The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved."; and

Further amend said section, Page 9, Line 194, by inserting at the end of said line the following:

"The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may still be eligible for the exemption under subsection 4 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years. This subdivision shall not be construed to relieve the project taxpayer of paying an average of one hundred fifty percent of the county average wage on all new jobs at the facility.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section."; and

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

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 514**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

Mr. Speaker: Your Committee on Economic Development and Business Attraction and Retention, to which was referred **HB 777**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

*House Committee Amendment No. 1*

AMEND House Bill No. 777, Page 2, Section 105.145, Line 32, by deleting all of said line and inserting in lieu thereof the following:

"state auditor shall be subject to a fine not to exceed five hundred dollars per day. **The state**"; and

Further amend said section and page, Lines 42 through 47, by deleting all of said lines and inserting in lieu thereof the following:

**"9. Upon notification from the state auditor's office that a transportation development district failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such district by certified mail that the statement has not been received and that the district may be subject to a fine not to exceed five hundred dollars per day. Such notice shall clearly set forth the name of the taxpayer, the accrued amount of the fine, the district's opportunity to give written application for a hearing to contest the fine within thirty days of the date of receipt of the notice and that failure to either apply for such a hearing, in writing, or to submit the required annual financial statement within the thirty-day period will be deemed a waiver of the opportunity to contest the fine and will constitute liquidation of the fine as allowed in subsection 8 of this section. In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be liquidated. If the application for hearing alleges a defense to the nature or amount of the claim upon which the fine is based which requires an evidentiary hearing, the department shall promptly conduct such hearing, in accordance with the provisions of chapter 536. Failure of the district to make application for a hearing shall constitute liquidation of the fine.**

**10. Any transportation development district organized under sections 238.200 to 238.275 having gross revenues of less than one thousand dollars annually shall not be subject to the fine authorized in subsection 8 of this section.";** and

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

**Committee on Elementary and Secondary Education, Chairman Swan reporting:**

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 574**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 2**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

*House Committee Amendment No. 2*

AMEND House Bill No. 578, Page 2, Section 170.011, Line 33, by inserting immediately after the words "the electoral process.]" the following:

**"To receive a certificate of graduation, public or private schools other than private trade schools may require a passing score on an examination of the provisions and principles of the Constitution of the United States or of the state of Missouri, or both the Constitution of the United States and of the state of Missouri."**

Further amend said bill, Page 3, Section 170.345, Lines 9-12, by deleting all of said lines and inserting in lieu thereof the following:

**"3. The test required under subsection 2 of this section shall consist only of questions from the one hundred questions used by the USCIS that are administered to applicants for United States citizenship. The**

**school district shall choose the number of questions for the test. In order to receive a passing score on the test, a student shall answer at least sixty percent of the questions correctly.";** and

Further amend said bill, page, and section, Line 18, by inserting immediately after all of said line the following:

**"6. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" shall mean individualized education program.";** and

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

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 584**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(5) be referred to the Select Committee on Education.

**Committee on Employment Security**, Chairman Brown (57) reporting:

Mr. Speaker: Your Committee on Employment Security, to which was referred **HB 461**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(10) be referred to the Select Committee on Labor and Industrial Relations.

*House Committee Amendment No. 1*

AMEND House Bill No. 461, Pages 1-2, Section 285.080, Lines 9-21, by deleting all of said lines; and

Further amend said section by renumbering the subsections accordingly; and

Further amend Page 3, Section 285.517, Line 9, by inserting at the end of said line the following:

**"Nothing in this section shall be construed to change in any way the status, liabilities, or rights of the individual whose status is at issue. This section terminates the liability of the employer for the Missouri employment taxes but shall have no effect on the individual whose status is at issue.";** and

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

**Committee on Professional Registration and Licensing**, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 634**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

*House Committee Amendment No. 1*

AMEND House Bill No. 634, Page 1, Section 324.001, Line 10, by deleting the word "chapter" and inserting in lieu thereof "**section**"; and

Further amend said section, Page 8, Lines 232 through 237, by deleting all of said lines and inserting in lieu thereof the following:

"5. A legislative proposal which contains a continuing education requirement shall be accompanied by a detailed explanation of how such a requirement could be effective for the profession addressed in the legislation."; and

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

**Committee on Telecommunications**, Chairman Korman reporting:

Mr. Speaker: Your Committee on Telecommunications, to which was referred **HB 714**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3, House Committee Amendment No. 4, House Committee Amendment No. 5, House Committee Amendment No. 6, House Committee Amendment No. 7, House Committee Amendment No. 8, and House Committee Amendment No. 9** and pursuant to Rule 27(14) be referred to the Select Committee on Utilities.

*House Committee Amendment No. 1*

AMEND House Bill No. 714, Page 5, Section 190.400, Line 14, by deleting "**user.**" and inserting in lieu thereof "**user;**"; and

Further amend said section, page, Line 23, by deleting said line and inserting in lieu thereof the following:

**"d. Integrated telecommunications service;**

**(c) For purposes of this section, when a device is permanently installed in a vehicle that is capable of contacting 911, it shall not be subject to this section, unless the owner of such vehicle purchases or otherwise subscribes to a commercial mobile service as defined under 47 U.S.C. 332(d) of the Telecommunications Act of 1996;**"; and

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

*House Committee Amendment No. 2*

AMEND House Bill No. 714, Page 8, Section 190.450, Line 59, by deleting "**oaw**" and inserting in lieu thereof "**law**"; and

Further amend said bill, section, Page 11, Line 140, by deleting "**13.**" and inserting in lieu thereof "**14.**"; and

Further amend said bill, page, section, Line 144, by deleting "**14.**" and inserting in lieu thereof "**15.**"; and

Further amend said bill, Page 19, Section 650.330, Line 44, by deleting "**service**" and inserting in lieu thereof "**servng**"; and

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

*House Committee Amendment No. 3*

AMEND House Bill No. 714, Page 10, Section 190.450, Line 107, by deleting the words "**of the third or fourth classification**"; and

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

*House Committee Amendment No. 4*

AMEND House Bill No. 714, Page 2, Section 92.077, Lines 1-27, by deleting all of said section from the bill; and

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

*House Committee Amendment No. 5*

AMEND House Bill No. 714, Page 21, Section 650.330, Line 122, by deleting all of said line and inserting in lieu thereof the following:

**"6. Any county that has one 911 service shall be presumed to be consolidated.**

**7. The [department of public safety is authorized to adopt those] board shall"; and**

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

*House Committee Amendment No. 6*

AMEND House Bill No. 714, Page 5, Section 190.329, Line 27, by inserting the following after all of said line:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

YES     NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be

carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years; ; **provided, however, that if a board established in this section consolidates with a board established under this section or section 190.327 or section 190.328, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.** Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency telephone service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

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

*House Committee Amendment No. 7*

AMEND House Bill No. 714, Page 13, Section 190.451, Line 91, by deleting all of said line and inserting in lieu thereof the following:

**"thereafter the rate may be adjusted every two years; however, at no point shall the board set rates that fall below twenty-five percent for counties without a charter form of government and sixty-five percent for counties with a charter form of government and any city not within a county.";** and

Further amend said bill, Section 190.455, Page 14, Line 16, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

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

*House Committee Amendment No. 8*

AMEND House Bill No. 714, Page 11, Section 190.451, Line 20, by deleting the date "**January 1, 2016**" and inserting in lieu thereof the following:

**"January first of the year following the enactment or effective date of this section";** and

Further amend said section, Page 12, Line 52, by deleting the entire line and inserting in lieu thereof the following:

**"(2) Beginning on January first of the year following the enactment or effective date of this section and ending thirty days thereafter, when a";** and

Further amend said page and section, Line 56, by deleting the date "**February 1, 2016**" and inserting in lieu thereof the following:

**"February first of the year following the enactment or effective date of this section";** and

Further amend said section, Page 14, Line 108, by inserting after all of said line the following:

**"6. This section shall not become effective until ninety days following the adoption by the tenth county of the imposition of the fee authorized in section 190.450.";** and

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

*House Committee Amendment No. 9*

AMEND House Bill No. 714, Page 23, Section 650.340, Line 30, by inserting after all of said line the following:

**"Section 1. The state auditor shall have the authority to conduct performance and fiscal audits of any board, dispatch center, joint emergency communications entity, or trust fund established under sections 190.327, 190.328, 190.329, 190.335, 190.420, 190.455, 190.460, or 650.325.";** and

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

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 502**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 517**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

*House Committee Amendment No. 1*

AMEND House Bill No. 517, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words, "imposition of tax on gratuities."; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section the following:

"143.191. 1. Every employer maintaining an office or transacting any business within this state and making payment of any wages taxable under [sections 143.011 to 143.998] **this chapter** to a resident or nonresident individual shall deduct and withhold from such wages for each payroll period the amount provided in subsection 3 of this section.

2. The term "wages" referred to in subsection 1 of this section means wages as defined by section 3401(a) of the Internal Revenue Code of 1986, as amended. The term "employer" means any person, firm, corporation, association, fiduciary of any kind, or other type of organization for whom an individual performs service as an employee, except that if the person or organization for whom the individual performs service does not have control of the payment of compensation for such service, the term "employer" means the person having control of the payment of the compensation. The term includes the United States, this state, other states, and all agencies, instrumentalities, and subdivisions of any of them.

3. (1) The method of determining the amount to be withheld shall be prescribed by regulations of the director of revenue. The prescribed table, percentages, or other method shall result, so far as practicable, in withholding from the employee's wages during each calendar year an amount substantially equivalent to the tax reasonably estimated to be due from the employee under [sections 143.011 to 143.998] **this chapter** with respect to the amount of such wages included in his Missouri adjusted gross income during the calendar year.

(2) **The amount to be withheld by an employer with respect to tips received by an employee in the course of the employee's employment shall be calculated based solely on the amount of tips reported by the employee in a written statement furnished to the employer as required by Section 6053(a) of the Internal Revenue Code of 1986, as amended, and only to the extent that collection can be made by the employer, at or after the time such statement is furnished and before the close of the calendar year in which the statement is furnished, by deducting the amount of the tax from such employee's wages under the control of the employer, excluding tips and any amounts which the employer is obligated to withhold and remit to the federal government, but including funds turned over by the employee to the employer to be used for Missouri income tax withholding. The employer shall have no Missouri income tax withholding obligation with respect to an employee's under-reported tips.**

4. For purposes of this section an employee shall be entitled to the same number of personal and dependency withholding exemptions as the number of exemptions to which he is entitled for federal income tax withholding purposes. An employer may rely upon the number of federal withholding exemptions claimed by the employee, except where the employee provides the employer with a form claiming a different number of withholding exemptions in this state.

5. The director of revenue may enter into agreements with the tax departments of other states (which require income tax to be withheld from the payment of wages) so as to govern the amounts to be withheld from the wages of residents of such states under this section. Such agreements may provide for recognition of anticipated tax credits in determining the amounts to be withheld and, under regulations prescribed by the director of revenue, may relieve employers in this state from withholding income tax on wages paid to nonresident employees. The agreements authorized by this subsection are subject to the condition that the tax department of such other states grant similar treatment to residents of this state.

6. The director of revenue shall enter into agreements with the Secretary of the Treasury of the United States or with the appropriate secretaries of the respective branches of the Armed Forces of the United States for the withholding, as required by subsections 1 and 2 of this section, of income taxes due the state of Missouri on wages or other payments for service in the armed services of the United States or on payments received as retirement or retainer pay of any member or former member of the Armed Forces entitled to such pay.

7. Subject to appropriations for the purpose of implementing this section, the director of revenue shall comply with provisions of the laws of the United States as amended and the regulations promulgated thereto in order that all residents of this state receiving monthly retirement income as a civil service annuitant from the federal government taxable by this state may have withheld monthly from any such moneys, whether pension, annuities or otherwise, an amount for payment of state income taxes as required by state law, but such withholding shall not be less than twenty-five dollars per quarter.

8. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285."; and

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

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 754**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

*House Committee Amendment No. 1*

AMEND House Bill No. 754, Page 2, Section 143.191, Lines 19-29, by deleting all of said section and inserting in lieu thereof the following:

**"(2) The amount to be withheld by an employer with respect to tips received by an employee in the course of the employee's employment shall be calculated based solely on the amount of tips reported by the employee in a written statement furnished to the employer as required by Section 6053(a) of the Internal Revenue Code of 1986, as amended, and only to the extent that collection can be made by the employer, at or after the time such statement is furnished and before the close of the calendar year in which the statement is furnished, by deducting the amount of the tax from such employee's wages under the control of the employer, excluding tips and any amounts which the employer is obligated to withhold and remit to the federal government, but including funds turned over by the employee to the employer to be used for Missouri income tax withholding. The employer shall have no Missouri income tax withholding obligation with respect to an employee's under-reported tips.";** and

Further amend said bill, Page 3, section, Lines 57-60, by deleting all of said lines and inserting in lieu thereof the following:

"8. The provisions of this section shall not apply to out-of-state businesses operating"; and

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

**Select Committee on General Laws**, Chairman Jones reporting:

Mr. Speaker: Your Select Committee on General Laws, to which was referred **HB 384**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on General Laws, to which was referred **HB 531**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Select Committee on Utilities**, Chairman Berry reporting:

Mr. Speaker: Your Select Committee on Utilities, to which was referred **HR 425**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Utilities, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

#### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

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

**HCR 36**, introduced by Representative English, relating to recognition of November as Pica Awareness Month in Missouri.

**HCR 37**, introduced by Representative Smith, relating to reforms to the Credit Repair Organizations Act.

#### **INTRODUCTION OF HOUSE BILLS**

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

**HB 1048**, introduced by Representative Kidd, relating to design-build contracts.

**HB 1049**, introduced by Representative Kidd, relating to a tax credit for senior citizen property owners.

**HB 1050**, introduced by Representative English, relating to the Civics Education Initiative.

**HB 1051**, introduced by Representative Rizzo, relating to scenic byways.

**HB 1052**, introduced by Representative Miller, relating to land surveyors.

**HB 1053**, introduced by Representative Justus, relating to board oversight of central dispatching for emergency services.

**HB 1054**, introduced by Representative Spencer, relating to school funding.

**HB 1055**, introduced by Representative McCann Beatty, relating to notaries public.

**HB 1056**, introduced by Representative McCann Beatty, relating to notaries public.

**HB 1057**, introduced by Representative Korman, relating to the restructuring of special purpose districts.

**HB 1058**, introduced by Representative Miller, relating to the Missouri Clean Water Law.

**HB 1059**, introduced by Representative Curtis, relating to funds benefitting children.

**HB 1060**, introduced by Representative Richardson, relating to contributions to Missouri Higher Education Savings Plan accounts.

**HB 1061**, introduced by Representative Brown (57), relating to the definition of knife.

**HB 1062**, introduced by Representative Webber, relating to parental leave to attend parent-teacher conferences.

**HB 1063**, introduced by Representative Fitzpatrick, relating to the State Capitol Complex Committee.

**HB 1064**, introduced by Representative Shull, relating to contractual fees charged by certain financial institutions.

**HB 1065**, introduced by Representative Butler, relating to use of tobacco products in places associated with schools.

**HB 1066**, introduced by Representative Allen, relating to infection reporting.

**HB 1067**, introduced by Representative Koenig, relating to sales and use tax.

### **COMMITTEE CHANGES**

February 25, 2015

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Tom McDonald and appoint Representative Mike Colona to the Committee on Emerging Issues.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel  
House Minority Leader  
District 81

## COMMUNICATION

February 25, 2015

D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
201 W. Capitol Avenue  
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo., I am hereby filing a written report of a possible personal interest in legislation on which the House of Representative may vote during the legislation session. I am a current member on the Windsor C-1 School Board and the State Director of the Missouri Grocers Association.

In compliance with Section 105.461, RSMo., please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Dan Shaul  
State Representative  
District 113

## WITHDRAWAL OF HOUSE BILL

February 25, 2015

Adam Crumbliss  
Chief Clerk

I respectfully request to withdraw **HB 255**. This bill specifies that any federal regulation or rule promulgated as a result of an executive order of the President of the United States repugnant of the United States Constitution or the Constitution of Missouri must be declared invalid in Missouri and be considered null and void and of no effect. It is the duty of the General Assembly to adopt and enact any and all measures necessary to prevent the enforcement of regulations and rules issued by a presidential executive order.

Most sincerely,

/s/ Representative Tim Remole  
District 6

## ADJOURNMENT

On motion of Representative Richardson, the House adjourned until 10:00 a.m., Thursday, February 26, 2015.

## COMMITTEE HEARINGS

### EMERGING ISSUES

Wednesday, March 4, 2015, 2:00 PM, House Hearing Room 7.  
Public hearing will be held: HB 376, HCR 14, HCR 19  
Executive session may be held on any matter referred to the committee.

### EMERGING ISSUES IN EDUCATION

Monday, March 2, 2015, 12:00 PM, House Hearing Room 1.  
Public hearing will be held: HCR 34, HB 267, HB 457  
Executive session will be held: HB 381, HB 499, HB 637  
Executive session may be held on any matter referred to the committee.  
AMENDED

### FISCAL REVIEW

Thursday, February 26, 2015, 9:35 AM, South Gallery.  
Executive session may be held on any matter referred to the committee.  
Executive session on bill(s) referred to the committee.

### GOVERNMENT EFFICIENCY

Monday, March 2, 2015, 10:00 AM, House Hearing Room 3.  
Public hearing will be held: HB 206  
Executive session will be held: HB 519  
Executive session may be held on any matter referred to the committee.  
Continued discussion on HB 206. This meeting will be followed by a joint hearing at Noon with the Committee on Transportation.

### GOVERNMENT EFFICIENCY

Monday, March 2, 2015, 12:00 PM, House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
Joint hearing with Committee on Transportation to receive testimony from the Missouri Department of Transportation.

### HIGHER EDUCATION

Tuesday, March 3, 2015, 8:00 AM, House Hearing Room 6.  
Public hearing will be held: HB 408, HB 436  
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 3.

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

Discussion of the recommendations in the 2014 Report of the Joint Committee on Child Abuse and Neglect, and recommendations from committee for additional investigations.

CORRECTED

PENSIONS

Tuesday, March 3, 2015, 8:30 AM, House Hearing Room 4.

Public hearing will be held: HB 326, HB 629, HB 630, HB 691, HB 770

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

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Monday, March 2, 2015, Upon Adjournment, House Hearing Room 6.

Public hearing will be held: HB 218, HB 679, HB 702, HB 868, HB 776, HB 193

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

SELECT COMMITTEE ON AGRICULTURE

Thursday, February 26, 2015, 8:30 AM, House Hearing Room 2.

Executive session will be held: HB 119, SCR 5

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

SELECT COMMITTEE ON COMMERCE

Thursday, February 26, 2015, Upon Adjournment or 12:30 PM, whichever is later, House Hearing Room 7.

Executive session will be held: HB 497, HB 514, HB 777

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

SELECT COMMITTEE ON EDUCATION

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 5.

Executive session will be held: HB 458, HB 187

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

Testimony will not be accepted on House Bill 458 or House Bill 187.

SELECT COMMITTEE ON FINANCIAL INSTITUTIONS AND TAXATION

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 7.

Executive session will be held: HB 132, HB 299, HB 410, HB 440, HB 478, HB 494, HB 643

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

SELECT COMMITTEE ON INSURANCE

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 4.

Executive session will be held: HB 70, HB 529, HB 709

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

SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 1.

Executive session will be held: HB 613, HB 290, HB 553

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

SELECT COMMITTEE ON UTILITIES

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 6.

Executive session will be held: HB 203, HB 600, HB 722, SCR 3

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

CORRECTED

SELECT COMMITTEE ON UTILITIES

Thursday, February 26, 2015, 8:00 AM, House Hearing Room 3.

CANCELLED

SPECIAL COMMITTEE ON SECURITY INFRASTRUCTURE OF THE CAPITOL COMPLEX

Monday, March 2, 2015, 1:00 PM, House Hearing Room 4.

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

Portions of the meeting may be closed pursuant to Section 610.021 (18)(19)(20).

Requested to attend- Catherine Brown- Director of Office of Administration Division of Facilities Management Design and Construction.

TRANSPORTATION

Monday, March 2, 2015, 12:00 PM, House Hearing Room 3.

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

This is the dual meeting between the Transportation Committee and the Committee on Government Efficiency, with MoDOT.

The Transportation Committee will not be hearing bills. Public hearings and executive session will be held on Tuesday, March 3rd.

TRANSPORTATION

Tuesday, March 03, 2015, 12:30 PM, House Hearing Room 7.

Public hearing will be held: HB 134, HB 338, HB 536, HB 791, HB 810

Executive session will be held: HB 34, HB 229, HB 522, HB 761, HB 775, HB 873

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

**HOUSE CALENDAR**

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 26, 2015

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 36 and HCR 37

**HOUSE BILLS FOR SECOND READING**

HB 1048 through HB 1067

**HOUSE BILLS FOR PERFECTION**

HCS HB 138 - Reiboldt

HB 506 - Zerr

HB 468 - Berry

HB 111 - Crawford

HCS HB 587 - Dugger

HCS HB 181 - Haahr

HCS HB 112 - Franklin

HB 384 - Flanigan

**HOUSE BILLS FOR PERFECTION - CONSENT**

(02/19/2015)

HB 41 - Wood

HB 179 - Chipman

HB 533 - Dugger

(02/24/2015)

HB 149 - Fitzpatrick

HB 88 - Walton Gray

HB 361 - Spencer

HB 391 - Gosen

HB 400 - Peters

HB 402 - Phillips

HB 404 - Phillips

HB 562 - Davis

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS HCR 32 - Ross

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

HCS HB 16 - Flanigan

**HOUSE BILLS FOR THIRD READING**

HB 582 - Curtis

HCS HB 50, (Fiscal Review 2/25/15) - Gosen

HB 32, (Fiscal Review 2/25/15) - Hoskins

HCS HB 130 - Rehder

HCS HB 141 - Reiboldt

HB 29, E.C. - Dugger

HB 100 - Gosen

HB 233 - Franklin

HCS HB 388, (Fiscal Review 2/25/15) - Hoskins

**HOUSE RESOLUTIONS**

HCS HR 425 - Ross