

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 27, 2010

The Senate met pursuant to adjournment.

Senator Bartle in the Chair.

Reverend Carl Gauck offered the following prayer:

“While you are proclaiming peace with your lips, be careful to have it even more fully in your heart.” (St. Francis of Assisi)

We know, O Lord, that peace within allows us to face the most stressful situations with a calm that permits us to accomplish more and communicate more effectively with those who differ from us. Grant us such a peace, O God, so we might be able to create a more tranquil office and Senate Chamber. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

| | | | | | | | |
|---------|-----------------|---------|----------|----------|-------------|----------|------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Keaveny |
| Lager | Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway |
| Rupp | Schaefer | Schmitt | Scott | Shields | Shoemyer | Stouffer | Vogel |
| Wilson | Wright-Jones—34 | | | | | | |

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Vogel offered Senate Resolution No. 2308, regarding Brendan Bagby, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No. 2309, regarding Dr. Arthur Allen, Jr., which was adopted.

Senator Goodman offered Senate Resolution No. 2310, regarding Michael J. Dawson, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 2311, regarding the Honorable Timothy Perigo, which was adopted.

Senator Stouffer offered Senate Resolution No. 2312, regarding John E. Tye, which was adopted.

Senator Stouffer offered Senate Resolution No. 2313, regarding Nancy M. Daniel, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 969**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 969** was again taken up.

President Kinder assumed the Chair.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 969, Page 4, Section 171.017, Line 18, by inserting at the end of said line the following: “**Average daily attendance for students starting on a second kindergarten start date shall be calculated as provided in subdivision 2 of section 163.011.**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny moved that **SCS** for **SB 969**, as amended, be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 969**, as amended, was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1942, introduced by Representative Parson, entitled:

An Act to repeal section 190.309, RSMo, and to enact in lieu thereof one new section relating to emergency telephone board members in certain counties.

Was taken up by Senator Scott.

Senator Barnitz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1942, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “emergency service boards.”; and

Further amend said bill, page 3, section 190.309, line 85, by inserting immediately after said line the following:

“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, RSMo. 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, RSMo, 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 [governing body] **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 [governing body] **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 [governing body] **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.

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.

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 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. 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.

190.339. 1. The powers and duties of the emergency services board shall include, but not be limited to:

(1) Planning a 911 system and dispatching system;

(2) Coordinating and supervising the implementation, upgrading or maintenance of the system, including the establishment of equipment specifications and coding systems;

(3) Receiving money from any county sales tax authorized to be levied pursuant to section 190.335 and authorizing disbursements from such moneys collected;

(4) Hiring any staff necessary for the implementation, upgrade or operation of the system.

2. The board shall be a body corporate and a political subdivision of the state and shall be known as the “..... Emergency Services Board”.

3. The administrative control and management of the moneys from any county sales tax authorized to be levied pursuant to section 190.335 and the administrative control and management of the central dispatching of emergency services shall rest solely with the board, and the board shall employ all necessary personnel, affix their compensation and provide suitable quarters and equipment for the operation of the central dispatching of emergency services from the funds available for this purpose.

[3.] **4.** The board may contract to provide services relating in whole or in part to central dispatching of emergency services and for such purpose may expend the tax funds or other funds.

[4.] **5.** The board shall elect a vice chairman, treasurer, secretary and such other officers as it deems necessary. Before taking office, the treasurer shall furnish a surety bond in an amount to be determined and in a form to be approved by the board for the faithful performance of the treasurer's duties and faithful accounting of all moneys that may come into the treasurer's hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors.

[5.] **6.** The board may accept any gift of property or money for the use and benefit of the central dispatching of emergency services, and the board is authorized to sell or exchange any such property which it believes would be to the benefit of the service so long as the proceeds are used exclusively for central dispatching of emergency services. The board shall have exclusive control of all gifts, property or money it may accept; of all interest of other proceeds which may accrue from the investment of such gifts or money or from the sale of such property; of all tax revenues collected by the county on behalf of the central dispatching of emergency services; and of all other funds granted, appropriated or loaned to it by the federal government, the state or its political subdivisions so long as such resources are used solely to benefit the central dispatching of emergency services.

[6.] **7.** Any board member may, following notice and an opportunity to be heard, be removed from any office by a majority vote of the other members of the board for any of the following reasons:

(1) Failure to attend five consecutive meetings, without good cause;

(2) Conduct prejudicial to the good order and efficient operation of the central dispatching of emergency services; or

(3) Neglect of duty.

[7.] **8.** The chairperson of the board shall preside at such removal hearing, unless the chairperson is the person sought to be removed, in which case the hearing shall be presided over by another member elected by a majority vote of the other board members. All interested parties may present testimony and arguments at such hearing, and the witnesses shall be sworn in by oath or affirmation before testifying. Any interested party may, at his or her own expense, record the proceedings.

[8.] **9.** Vacancies on the board occasioned by removals, resignations or otherwise, shall be filled by the remaining members of the board. The appointee or appointees shall act until the next election at which a director or directors are elected to serve the remainder of the unexpired term.

[9.] **10.** Individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board.

[10.] **11.** No person shall be employed by the board who is related within the fourth degree by blood or by marriage to any member of the board.”; and

Further amend the title and enacting clause accordingly.

Senator Barnitz moved that the above amendment be adopted.

At the request of Senator Scott, **HB 1942**, with **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Engler, the Senate recessed until 10:20 a.m.

RECESS

The time of recess having expired the Senate was called to order by Senator Pearce.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS No. 3** for **SCS** for **SJR 45**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

HOUSE BILLS ON THIRD READING

Senator Scott moved that **HB 1942**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Barnitz moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Scott, **HB 1942**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|--------|---------|-------------|---------|---------|------------|--------|
| Barnitz | Bartle | Bray | Callahan | Clemens | Crowell | Cunningham | Days |
| Dempsey | Engler | Goodman | Griesheimer | Justus | Keaveny | Lager | Lembke |

| | | | | | | | |
|-------|---------|----------|----------|----------|-----------------|----------|---------|
| Mayer | McKenna | Pearce | Purgason | Ridgeway | Rupp | Schaefer | Schmitt |
| Scott | Shields | Stouffer | Vogel | Wilson | Wright-Jones—30 | | |

NAYS—Senators—None

Absent—Senators

| | | |
|----------|--------|------------|
| Champion | Nodler | Shoemyer—3 |
|----------|--------|------------|

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Scott, title to the bill was agreed to.

Senator Scott moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SS No. 3 for SCS for SJR 45, introduced by Senator Shields, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 45

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2(a) and 2(b) of article IX of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state board of education, with an effective date.

Was taken up.

On motion of Senator Shields, **SS No. 3 for SCS for SJR 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

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|---------|---------|-------------|----------|----------|-----------------|----------|---------|
| Bartle | Bray | Callahan | Champion | Clemens | Crowell | Days | Dempsey |
| Engler | Goodman | Griesheimer | Justus | Keaveny | Lager | Lembke | Mayer |
| McKenna | Nodler | Pearce | Purgason | Ridgeway | Rupp | Schaefer | Schmitt |
| Scott | Shields | Stouffer | Vogel | Wilson | Wright-Jones—30 | | |

NAYS—Senators

| | |
|---------|--------------|
| Barnitz | Cunningham—2 |
|---------|--------------|

Absent—Senator Shoemyer—1

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Shields, title to the bill was agreed to.

Senator Shields moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1806**, entitled:

An Act to repeal section 48.020, RSMo, and to enact in lieu thereof one new section relating to county classification, with an emergency clause.

Was taken up by Senator Goodman.

Senator Goodman offered **SS** for **HCS** for **HB 1806**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1806

An Act to repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof two new sections relating to county classification, with an emergency clause.

Senator Goodman moved that **SS** for **HCS** for **HB 1806** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1806, Page 4, Section 48.030, Line 5 of said page, by inserting after all of said line the following:

“71.275. Notwithstanding any other provision of this chapter to the contrary, if the governing body of any municipality finds it in the public interest that a parcel of land within a research, development, or office park project established under section 172.273, that is contiguous and compact to the existing corporate limits of the municipality and located in an unincorporated area of the county, should be located in the municipality, such municipality may annex such parcel, provided that the municipality obtains written consent of all the property owners located within the unincorporated area of such parcel.

79.025. No city of the fourth classification with more than two thousand three hundred but fewer than two thousand four hundred inhabitants and located in any county with a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants shall annex any territory adjacent to the city if such adjacent territory proposed for annexation does not contain any registered voters unless the city has obtained the written consent of all the owners of real property within such adjacent territory.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Goodman moved that **SS** for **HCS** for **HB 1806**, as amended, be adopted, which motion

prevailed.

On motion of Senator Goodman, **SS** for **HCS** for **HB 1806**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|---------|---------|----------|-------------|----------|---------|-----------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Griesheimer | Justus | Keaveny | Lager |
| Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Rupp | Schaefer |
| Schmitt | Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson | Wright-Jones—32 |

NAYS—Senator Ridgeway—1

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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|---------|---------|---------|----------|-------------|----------|---------|-----------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Griesheimer | Justus | Keaveny | Lager |
| Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Rupp | Schaefer |
| Schmitt | Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson | Wright-Jones—32 |

NAYS—Senator Ridgeway—1

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Griesheimer moved that motion lay on the table, which motion prevailed.

Senator Stouffer assumed the Chair.

HB 1643, introduced by Representative Brown (50), et al, entitled:

An Act to repeal section 193.265, RSMo, and to enact in lieu thereof two new sections relating to recording fees.

Was taken up by Senator Wilson.

Senator Wilson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1643, Page 1, Section A, Line 2, by inserting after all of said line the following:

“59.003. All requests for records filed or recorded by the recorder of deeds under this chapter dated after December 31, 1969, shall be made to the office of the recorder of deeds in which the record was originally recorded.”; and

Further amend the title and enacting clause accordingly.

Senator Wilson moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1643, Page 3, Section 193.265, by adding after said section the following:

“429.110. Whenever property is sought to be charged with a lien under sections 429.010 to 429.340, and the owner of the property so sought to be charged shall not be a resident of this state, or shall have no agent in the county in which said property is situate, or when such owner shall be a resident of the state, but conceals himself, or has absconded, or absents himself from his usual place of abode, so that the notice required by section 429.100 cannot be served upon him, then, and in every such case, such notice may be [filed] **recorded** with the recorder of deeds of the county in which such property is situate, and when [filed] **recorded** shall have like effect as if served upon such owner or his agent in the manner contemplated by section 429.100[; and a copy of such notice so filed, together with the certificate of such recorder of deeds that the same is a correct copy of the notice so filed, shall be received in all courts of this state as evidence of the service, as herein provided, of such notice; and the recorder of deeds in each county of this state shall receive, file and keep every such notice so presented to him for filing, and shall further record the same at length in a separate book appropriately entitled; and for such service so performed, such recorder shall receive for each notice the sum of twenty-five cents, and for each copy so certified as aforesaid of each of said notices, shall receive the sum of fifty cents, to be paid by the party so filing or procuring such certified copy, as the case may be, and the costs of filing and of one certified copy] . **Such notice shall be accompanied by an applicable fee for recording and** shall be taxed as costs in any lien suit to which the same pertains, to abide the result of the suit.”; and

Further amend the title accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Wilson, **HB 1643**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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|----------|---------|---------|----------|-------------|----------|----------|------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Griesheimer | Justus | Keaveny | Lager |
| Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway | Rupp |
| Schaefer | Schmitt | Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson |

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wilson, title to the bill was agreed to.

Senator Wilson moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HB 1612, with **SCS**, introduced by Representatives Molendorp and Scavuzzo, entitled:

An Act to repeal section 204.300, RSMo, and to enact in lieu thereof one new section relating to sewer district trustees.

Was taken up by Senator Pearce.

SCS for **HB 1612**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1612

An Act to repeal sections 204.300, 204.472, 204.571, and 250.233, RSMo, and to enact in lieu thereof four new sections relating to sewer districts.

Was taken up.

Senator Pearce moved that **SCS** for **HB 1612** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **HB 1612** was read the 3rd time and passed by the following vote:

YEAS—Senators

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|---------|---------|---------|----------|----------|-------------|---------|-----------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Lager |
| Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway | Rupp | Schaefer |
| Schmitt | Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson | Wright-Jones—32 |

NAYS—Senators—None

Absent—Senator Lembke—1

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

At the request of Senator Purgason, **HB 1595** was placed on the Informal Calendar.

HB 1340, introduced by Representative Dugger, entitled:

An Act to repeal section 321.247, RSMo, relating to sales taxes for fire protection districts.

Was taken up by Senator Clemens.

On motion of Senator Clemens, **HB 1340** was read the 3rd time and passed by the following vote:

YEAS—Senators

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|---------|---------|----------|----------|-------------|---------|-----------------|------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Griesheimer | Justus | Lager | Mayer |
| McKenna | Nodler | Pearce | Purgason | Ridgeway | Rupp | Schaefer | Schmitt |
| Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson | Wright-Jones—31 | |

NAYS—Senators—None

Absent—Senators

Green Lembke—2

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Clemens, title to the bill was agreed to.

Senator Clemens moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HCS for **HB 1290**, with **SCS**, entitled:

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to county auditors.

Was taken up by Senator Griesheimer.

SCS for **HCS** for **HB 1290**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1290

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof two new sections relating to political subdivisions.

Was taken up.

Senator Griesheimer moved that **SCS** for **HCS** for **HB 1290** be adopted.

Senator Griesheimer offered **SS** for **SCS** for **HCS** for **HB 1290**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1290

An Act to repeal sections 48.020, 48.030, 49.310, 50.660, 52.290, 52.312, 52.361, 52.370, 54.010, 55.030, 55.140, 55.190, 67.110, 67.1000, 67.1360, 67.1361, 67.2000, 70.220, 94.900, 94.902, 115.305, 115.342, 115.346, 137.073, 137.180, 137.355, 138.431, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.150, 140.160, 140.170, 140.190, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, 165.071, 204.300, 204.472, 204.571, 250.233, 321.130, 321.711, 429.110, 473.739, and 473.742, RSMo, and to enact in lieu thereof seventy new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Griesheimer moved that **SS** for **SCS** for **HCS** for **HB 1290** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 123, Section 140.420, Line 21, by inserting after all of said line the following:

“141.535. 1. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the court shall stay the sale of any tax parcel to be sold under execution of a tax foreclosure judgment obtained under this chapter, which is the subject of an action filed under sections 447.620 to 447.640, provided that the party which has brought such an action has paid into the circuit court the principal amount of all land taxes then due and owing under the tax foreclosure judgment, exclusive of penalties, interest, attorney fees, and court costs, prior to the date of any proposed sale under execution. The party bringing such action shall provide written notice of the filing of the action to the court administrator and file with the circuit court in which the action is pending a certificate that such notice has been provided to the court administrator.

2. Upon the granting by the court of temporary possession of any property under section 447.632 and again upon the approval by the court of a sheriff's deed under section 447.625, the circuit court shall direct payment to the county collector of all principal land taxes theretofore paid into the circuit court. In addition, in any order granting a sheriff's deed under section 447.625, the court shall also order the permanent extinguishment of liability against the grantee of the sheriff's deed, and all successors in interest; excepting however, any defendant in such action, for penalties, interest, attorney fees, and court costs arising from actions to collect delinquent land taxes due on the subject property. The funds paid into the court for land taxes shall then be paid to the county collector. If an owner of such a property moves the court for restoration of the subject property under section 447.638, the owner shall pay into the circuit court all land tax amounts currently due and owing on the property, including all statutory penalties, interest, attorney fees, and court costs retroactive to the date of accrual.

3. If the party which brought the action under sections 447.620 to 447.640 dismisses its action prior to gaining temporary possession of the property, it shall recover any amounts paid into the circuit court prior to that date for principal land taxes.

4. In the event that an owner of the tax parcel regains possession under section 447.638, the party

which brought the action under sections 447.620 to 447.640 shall recover from that owner an amount equal to that paid into the court by said party and paid to the county collector under this section, and shall be granted judgment thereon.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Shields offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 23, Section 67.314, Line 2, by inserting after all of said line the following:

“67.456. 1. The average maturity of bonds or notes issued under the neighborhood improvement district act after August 28, 2004, shall not exceed one hundred twenty percent of the average economic life of the improvements for which the bonds or notes are issued; **provided however, bonds for which an annual tax on all taxable tangible property has been approved by the voters and shall be collected to pay the interest and principal of such bonds, shall be retired within twenty years from the date contracted; provided further, bonds for which no annual tax on all taxable tangible property has been approved by the voters and shall not be collected to pay the interest and principal of the bonds, shall be retired within the greater of one hundred twenty percent of the average economic life of the improvements or thirty years from the date contracted. For purposes of calculating the average maturity of bonds, the average economic life of an improvement shall be certified by a professional engineer licensed pursuant to chapter 327.**

2. Any improvement for which a petition is filed or an election is held under section 67.457 after August 28, 2004, including improvements to or located on property owned by a city or county, shall include provisions for maintenance of the project during the term of the bonds or notes.

3. In the event that, after August 28, 2004, any parcel of property within the neighborhood improvement district is divided into more than one parcel of property after the final costs of the improvement are assessed, all unpaid final costs of the improvement assessed to the original parcel that was divided shall be recalculated and reassessed proportionally to each of the parcels resulting from the division of the original parcel, based on the assessed valuation of each resulting parcel. No parcel of property which has had the assessment against it paid in full by the property owner shall be reassessed under this section. No parcel of property shall have the initial assessment against it changed, except for any changes for special, supplemental, or additional assessments authorized under the state neighborhood improvement district act.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey assumed the Chair.

Senator Rupp offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 6, Section 49.310, Line 9 of said page, by inserting immediately after said line the

following:

“50.622. Any county may amend the annual budget during any fiscal year in which the county receives additional funds **or a decrease in funds**, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Callahan assumed the Chair.

Senator Barnitz offered **SA 1** to **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 1, Section 50.622, Line 11, by inserting after the word “year.” the following:

“If a county amends the annual budget during any fiscal year in which the county receives a decrease in funds, any amendments to the annual budget that are made by the county commission shall be in an equal percentage to all elected officials' budgets.”.

Senator Barnitz moved that the above amendment be adopted.

At the request of Senator Barnitz, **SA 1** to **SA 3** was withdrawn.

SA 3 was again taken up.

At the request of Senator Griesheimer, **HCS** for **HB 1290**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

HCS for **HB 2297**, with **SCS**, entitled:

An Act to amend chapter 184, RSMo, by adding thereto five new sections relating to the establishment of the Kansas City zoological district.

Was taken up by Senator Wilson.

SCS for **HCS** for **HB 2297**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2297

An Act to amend chapter 184, RSMo, by adding thereto five new sections relating to the establishment of the Kansas City zoological district.

Was taken up.

Senator Wilson moved that **SCS** for **HCS** for **HB 2297** be adopted.

Senator Ridgeway offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2297, Page 3, Section 184.503, Line 30, by inserting immediately after all of said line the following:

“Provisions of this section to the contrary notwithstanding, no tax authorized under the provisions of this section shall be effective in any eligible noncharter county unless the tax authorized under the provisions of this section is imposed by an eligible charter county.”.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Bray offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2297, Page 1, In the Title, Line 2, by striking the word “the” at the end of said line; and further amend line 3, by striking all of said line and inserting in lieu thereof the following: “zoological districts.”; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

“184.362. The use and enjoyment of such institutions and places, museums and parks of any and all of the subdistricts established under sections 184.350 to 184.384 shall be forever free **to residents of the district** and open to the public at such times as may be provided by the reasonable rules and regulations adopted by the respective commissions in order to render the use of the said subdistrict's facilities of the greatest benefit and efficiently to the greatest number. **Upon application of a subdistrict established under sections 184.350 to 184.384, or in the case of a subdistrict which contracts with another person for provision of services authorized by this chapter, upon application of both the subdistrict and any person with whom the subdistrict contracts, and upon majority vote by the district board, a fee may be charged upon nonresidents of the district for admission to such institutions, places, museums, and parks of any of the subdistricts or of any person with whom the commissioners of any of the subdistricts contract. The respective commissions may, upon a majority vote of such commission, provide for exemptions from any fee for admission, to institutions, places, museums, and parks of such commission, adopted by the district board under the provisions of this section.** The respective commissions may exclude from the use of the said facilities any and all persons who willfully violate such rules. In addition said commission shall make and adopt such bylaws, rules and regulations for its own guidance and for the election of its members and for the administration of the subdistrict as it may deem expedient and as may not be inconsistent with the provisions of the law. The respective commissions **and any person with whom the commissioners of a subdistrict may contract, may [contract] enter into contracts** for, or exact, a charge from any person in connection with the use, enjoyment, purchase, license or lease of any property, facility, activity, exhibit, function, or personnel of the respective subdistricts **or of any person with whom the commissioners of any subdistrict may contract.** Said commission shall have exclusive control of the expenditures of all moneys collected by the district to the credit of the subdistrict's fund. The commission of any subdistrict established by the voters under the authority of section 184.350 shall have exclusive control of the construction and maintenance of any subdistrict buildings built or maintained in whole or in part with moneys of said fund and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for the purposes of the subdistrict under the authority conferred in this law. The commission of any subdistrict established by the voters under the

authority of section 184.350 shall have the power to appoint a director and necessary assistants, to fix their compensation and shall also have power to remove such appointees. All employees, appointees and officers of publicly owned and operated museums and zoological parks shall on the establishment of a subdistrict related thereto become employees of the subdistrict and such appointees' and employees' seniority, pension, salaries, wages and fringe benefits shall be equal to or better than that existing at the time of the establishment of the subdistrict insofar as may be possible. The respective commissions shall whenever the need arises transmit to the district a complete survey and report of the subdistrict's need for construction, reconstruction and repair of improvements, buildings and other facilities and shall include all information and data necessary for the purpose of ascertaining the cost of such improvements and shall further certify to the district the need for incurring additional indebtedness as provided in sections 184.364 to 184.376 herein.”; and

Further amend the title and enacting clause accordingly.

Senator Bray moved that the above amendment be adopted, which motion prevailed.

Senator Wilson moved that **SCS** for **HCS** for **HB 2297**, as amended, be adopted, which motion prevailed.

On motion of Senator Wilson, **SCS** for **HCS** for **HB 2297**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|-------------|--------|----------|----------|----------|--------|-----------|----------|
| Barnitz | Bray | Callahan | Champion | Clemens | Days | Engler | Goodman |
| Griesheimer | Justus | Lager | Mayer | McKenna | Nodler | Pearce | Ridgeway |
| Schaefer | Scott | Shields | Shoemyer | Stouffer | Vogel | Wilson—23 | |

NAYS—Senators

| | | | | | |
|---------|------------|--------|----------|------|----------------|
| Crowell | Cunningham | Lembke | Purgason | Rupp | Wright-Jones—6 |
|---------|------------|--------|----------|------|----------------|

Absent—Senators

| | | |
|---------|-------|-----------|
| Dempsey | Green | Schmitt—3 |
|---------|-------|-----------|

Absent with leave—Senator

| | |
|--------|-----------|
| Bartle | Keaveny—2 |
|--------|-----------|

Vacancies—None

The President declared the bill passed.

On motion of Senator Wilson, title to the bill was agreed to.

Senator Wilson moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

President Pro Tem Shields assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 969**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HBs 1311** and **1341**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Callahan assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 27, 2010

To the Senate of the 95th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David Elan Simckes, 139 Ladue Oaks Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the Missouri Genetic Advisory Committee, for a term ending April 9, 2013, and until his successor is duly appointed and qualified; vice, RSMo 191.305.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Shields referred the above appointment to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Shields referred **HCS** for **HBs 1311** and **1341**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

RE-REFERRALS

President Pro Tem Shields re-referred **HCS** for **HBs 1524** and **2260** to the Committee on Veterans' Affairs, Pensions and Urban Affairs.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 2252—Governmental Accountability and Fiscal Oversight.

HCS for **HB 2058**—General Laws.

HJR 62—General Laws.

RESOLUTIONS

Senator Justus offered Senate Resolution No. 2314, regarding Alex Johnson, which was adopted.

Senator Justus offered Senate Resolution No. 2315, regarding Catherine Schario, which was adopted.

Senator Justus offered Senate Resolution No. 2316, regarding Justin Andrew Mohn, which was adopted.

Senator Engler offered Senate Resolution No. 2317, regarding Janice “Susie” Rohrer, which was adopted.

Senator Engler offered Senate Resolution No. 2318, regarding Jerome N. Watson, which was adopted.

Senator Engler offered Senate Resolution No. 2319, regarding Susan Webb, which was adopted.

Senator Engler offered Senate Resolution No. 2320, regarding Paige Reid, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 2321, regarding Darla Kopp, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 2322, regarding Martha Kay Giessing, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 2323, regarding Mary Jo Lamping, which was adopted.

Senator Engler offered Senate Resolution No. 2324, regarding Sandra Cooseman, which was adopted.

Senator Engler offered Senate Resolution No. 2325, regarding Nancy L. Gramh, which was adopted.

Senator Engler offered Senate Resolution No. 2326, regarding Mona G. Hunt, which was adopted.

Senator Engler offered Senate Resolution No. 2327, regarding Nancy Rougely, which was adopted.

On motion of Senator Engler, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 2328, regarding the Warrensburg Middle School eighth-grade Peer Helpers, Conflict Mediators and Magic Me, which was adopted.

Senator Lager offered Senate Resolution No. 2329, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerry Crookshanks, Meadville, which was adopted.

Senator Lager offered Senate Resolution No. 2330, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Frank Albertson, Big Lake, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schmitt moved that **SCR 56** be taken up for adoption, which motion prevailed.

On motion of Senator Schmitt, **SCR 56** was adopted by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|----------|-------------|---------|----------|------------|---------|----------|
| Barnitz | Callahan | Champion | Clemens | Crowell | Cunningham | Days | Dempsey |
| Engler | Goodman | Griesheimer | Lager | Lembke | Mayer | McKenna | Nodler |
| Pearce | Purgason | Ridgeway | Rupp | Schaefer | Schmitt | Shields | Shoemyer |

Stouffer Vogel Wilson Wright-Jones—28

NAYS—Senators

Bray Justus—2

Absent—Senators

Green Scott—2

Absent with leave—Senators

Bartle Keaveny—2

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 57**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

SENATE BILLS FOR PERFECTION

Senator Lembke moved that **SB 818**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 818** was again taken up.

Senator Lembke offered **SS** for **SCS** for **SB 818**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 818

An Act to repeal sections 116.010, 116.090, 116.190, and 116.332, RSMo, and to enact in lieu thereof four new sections relating to initiative and referendum petitions, with penalty provisions.

Senator Lembke moved that **SS** for **SCS** for **SB 818** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 818, Page 7, Section 116.332, Line 15, by inserting immediately after said line, the following:

“Section 1. Petition circulators shall deliver to each person signing the petition, a copy of the full and correct text of the proposed measure.”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted.

At the request of Senator Lembke, **SB 818**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on

the Informal Calendar.

HOUSE BILLS ON THIRD READING

Senator Griesheimer moved that **HCS** for **HB 1290**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 3 was again taken up.

Senator Griesheimer offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 6, Section 49.310, Line 9 of said page, by inserting immediately after said line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which:

(1) The county receives additional funds, and such amount or source, including but not limited to[,] federal or state grants or private donations, could not be estimated **or anticipated** when the budget was adopted; **or**

(2) The county experiences a verifiable decline in funds, and such amount or source, including but not limited to federal or state grants or private donations, could not be estimated or anticipated when the budget was adopted; provided that, any decrease in appropriations shall be allocated among the county departments, offices, institutions, commissions, and boards in a fair and equitable manner under all the circumstances, and shall not unduly affect any one department, office, institution, commission, or board.

2. Any decrease in an appropriation authorized under subdivision (2) of subsection 1 of this section shall not impact any dedicated fund otherwise provided by law.

3. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this section.

4. The provisions of this section shall expire August 28, 2014.”; and

Further amend the title and enacting clause accordingly.

Senator Griesheimer moved that the above substitute amendment be adopted, which motion failed.

Senator Dempsey assumed the Chair.

SA 3 was again taken up.

Senator Griesheimer offered **SA 2** to **SA 3**, which was read:

SENATE AMENDMENT NO. 2 TO SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 1, Section 50.622, Line 4 of said amendment page, by

inserting immediately after “50.622.” the following: “**1.**”; and further amend said amendment, Line 11, by inserting after “year.” the following:

“2. The provisions of this section shall expire August 28, 2014.”.

Senator Griesheimer moved that the above amendment be adopted, which motion failed.

SA 3 was again taken up.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Shields offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1290, Page 49, Section 67.2725, Line 15 of said page, by inserting immediately after said line the following:

“68.025. 1. Every local and regional port authority, approved as a political subdivision of the state, shall have the following powers to:

(1) Confer with any similar body created under laws of this or any other state for the purpose of adopting a comprehensive plan for the future development and improvement of its port districts;

(2) Consider and adopt detailed and comprehensive plans for future development and improvement of its port districts and to coordinate such plans with regional and state programs;

(3) Establish a port improvement district in accordance with this chapter;

(4) Carry out any of the projects enumerated in subdivision (16) of section 68.305;

(5) Within the boundaries of any established port improvement district, to levy either a sales and use tax or a real property tax, or both, for the purposes of paying any part of the cost of a project benefitting property in a port improvement district, except that no port improvement district real property tax shall be levied on any property, real or personal, that is assessed under chapter 151 unless such real property tax levy is agreed to in writing by the party responsible for the taxes;

(6) Pledge both revenues generated by any port improvement district and any other port authority revenue source to the repayment of any outstanding obligations;

(7) Either jointly with a similar body, or separately, recommend to the proper departments of the government of the United States, or any state or subdivision thereof, or to any other body, the carrying out of any public improvement for the benefit of its port districts;

[(4)] **(8) Provide for membership in any official, industrial, commercial, or trade association, or any other organization concerned with such purposes, for receptions of officials or others as may contribute to the advancement of its port districts and any industrial development therein, and for such other public relations activities as will promote the same, and such activities shall be considered a public purpose;**

[(5)] **(9) Represent its port districts before all federal, state and local agencies;**

[(6)] **(10) Cooperate with other public agencies and with industry, business, and labor in port district improvement matters;**

[(7)] **(11) Enter into any agreement with any other states, agencies, authorities, commissions,**

municipalities, persons, corporations, or the United States, to effect any of the provisions contained in this chapter;

[(8)] (12) Approve the construction of all wharves, piers, bulkheads, jetties, or other structures;

[(9)] (13) Prevent or remove, or cause to be removed, obstructions in harbor areas, including the removal of wrecks, wharves, piers, bulkheads, derelicts, jetties or other structures endangering the health and general welfare of the port districts; in case of the sinking of a facility from any cause, such facility or vessel shall be removed from the harbor at the expense of its owner or agent so that it shall not obstruct the harbor;

[(10)] (14) Recommend the relocation, change, or removal of dock lines and shore or harbor lines;

[(11)] (15) Acquire, own, construct, redevelop, lease, maintain, and conduct land reclamation and resource recovery [with respect to unimproved land], **including the removal of sand, rock, or gravel**, residential developments, commercial developments, mixed-use developments, recreational facilities, industrial parks, industrial facilities, and terminals, terminal facilities, warehouses and any other type port facility;

[(12)] (16) Acquire, own, lease, sell or otherwise dispose of interest in and to real property and improvements situate thereon and in personal property necessary to fulfill the purposes of the port authority;

[(13)] (17) Acquire rights-of-way and property of any kind or nature within its port districts necessary for its purposes. Every port authority shall have the right and power to acquire the same by purchase, negotiation, or by condemnation, and should it elect to exercise the right of eminent domain, condemnation proceedings shall be maintained by and in the name of the port authority, and it may proceed in the manner provided by the laws of this state for any county or municipality. The power of eminent domain shall not apply to property actively being used in relation to or in conjunction with river trade or commerce, unless such use is by a port authority pursuant to a lease in which event the power of eminent domain shall apply;

[(14)] (18) Contract and be contracted with, and to sue and be sued;

[(15)] (19) Accept gifts, grants, loans or contributions from the United States of America, the state of Missouri, political subdivisions, municipalities, foundations, other public or private agencies, individual, partnership or corporations;

[(16)] (20) Employ such managerial, engineering, legal, technical, clerical, accounting, advertising, stenographic, and other assistance as it may deem advisable. The port authority may also contract with independent contractors for any of the foregoing assistance;

[(17)] (21) Improve navigable and nonnavigable areas as regulated by federal statute;

[(18)] (22) Disburse funds for its lawful activities and fix salaries and wages of its employees; and

[(19)] (23) Adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted; however, said bylaws, rules and regulations shall not exceed the powers granted to the port authority by this chapter.

2. In implementing its powers, the port authority shall have the power to enter into agreements with private operators or public entities for the joint development, redevelopment, and reclamation of property within a port district or for other uses to fulfill the purposes of the port authority.

68.035. 1. The state may make grants to a state port fund, as appropriated by the general assembly, to be allocated by the department of transportation to local port authorities or regional port coordinating

agencies. These grants, administered on a nonmatching basis, could be used for managerial, engineering, legal, research, promotion, planning and any other expenses.

2. In addition the state may make capital improvement matching grants contributing eighty percent of the funds and local port authorities contributing twenty percent of the funds for specific [projects] **undertakings** of port development such as land acquisitions, construction, terminal facility development, **port improvement projects**, and other related port facilities. **Notwithstanding the foregoing, any matching grants awarded by the Missouri highways and transportation commission under the port capital improvement program shall be transportation related.**

3. The grants provided herein may be used as the local share in applying for other grant programs.

68.040. 1. Every local and regional port authority, approved as a political subdivision of the state, may from time to time issue its negotiable revenue bonds or notes in such principal amounts as, in its opinion, shall be necessary to provide sufficient funds for achieving its purposes, including the construction of port facilities **and the financing of port improvement projects**; establish reserves to secure such bonds and notes; and make other expenditures, incident and necessary to carry out its purposes and powers.

2. This state shall not be liable on any notes or bonds of any port authority. Any such notes or bonds shall not be a debt of the state and shall contain on the faces thereof a statement to such effect.

3. No commissioner of any port authority or any authorized person executing port authority notes or bonds shall be liable personally on said notes or bonds or shall be subject to any personal liability or accountability by reason of the issuance thereof.

4. The notes and bonds of every port authority are securities in which all public officers and bodies of this state and all political subdivisions and municipalities, all insurance companies and associations, and other persons carrying on an insurance business, all banks, trust companies, saving associations, savings and loan associations, credit unions, investment companies, all administrators, guardians, executors, trustees, and other fiduciaries, and all other persons whatsoever, who now or may hereafter, be authorized to invest in notes and bonds or other obligations of this state, may properly and legally invest funds, including capital, in their control or belonging to them.

5. No port authority shall be required to pay any taxes or any assessments whatsoever to this state or to any political subdivisions, municipality or other governmental agency of this state. The notes and bonds of every port authority and the income therefrom shall, at all times, be exempt from any taxes and any assessments, except for death and gift taxes and taxes on transfers.

6. Every port authority shall have the powers and be governed by the procedures now or hereafter conferred upon or applicable to the environmental improvement authority, chapter 260, RSMo, relating to the manner of issuance of revenue bonds and notes, and the port authority shall exercise all such powers and adhere to all such procedures insofar as they are consistent with the necessary and proper undertaking of its purposes.

68.070. [If, at any time] **Provided a local or regional port authority has no outstanding obligations**, the legislative body or county commission of a city or county, in which a local port authority is situated, votes, by majority, to dissolve said port authority, the local port authority shall be dissolved effective the date of approval of the dissolution by the highways and transportation commission of the state. If, at any time, all of the legislative bodies or county commissions of members of a regional port authority vote, by majority, to dissolve the regional port authority, it shall be dissolved effective the date of the approval of dissolution by the highways and transportation commission of the state. In the event of dissolution of a local

or regional port authority, all funds and other assets shall be distributed among the cities and counties, who were members, on a pro rata basis.

68.300. Sections 68.300 to 68.360 shall be known and may be cited as the “Port Improvement District Act.”

68.305. As used in sections 68.300 to 68.360, unless the context clearly requires otherwise, the following terms shall mean:

- (1) “Act”, the port improvement district act, sections 68.300 to 68.360;**
- (2) “Approval”, for purposes of elections under this act, a simple majority of those qualified voters casting votes in any election;**
- (3) “Board”, the board of port authority commissioners for the particular port authority that desires to establish or has established a district;**
- (4) “Director of revenue”, the director of the department of revenue of the state of Missouri;**
- (5) “District” or “port improvement district”, an area designated by the port authority which is located within its port district boundaries at the time of establishment;**
- (6) “Disposal of solid waste or sewage”, the entire process of storage, collection, transportation, processing, and disposal of solid wastes or sewage;**
- (7) “Election authority”, the election authority having jurisdiction over the area in which the boundaries of the district are located under chapter 115;**
- (8) “Energy conservation”, the reduction of energy consumption;**
- (9) “Energy efficiency”, the increased productivity or effectiveness of the use of energy resources, the reduction of energy consumption, or the use of renewable energy sources;**
- (10) “Obligations”, revenue bonds and notes issued by a port authority and any obligations for the repayment of any money obtained by a port authority from any public or private source along with any associated financing costs, including, but not limited to, the costs of issuance, capitalized interest, and debt service;**
- (11) “Owner”, the individual or individuals or entity or entities who own a fee interest in real property that is located within the boundaries of a district based upon the recorded real estate records of the county recorder, or the city recorder of deeds if the district is located in a city not within a county, as of the thirtieth day prior to any action;**
- (12) “Petition”, a petition to establish a port improvement district within the port district boundaries or a petition to make a substantial change to an existing district;**
- (13) “Pollution”, the existence of any noxious substance in the air or waters or on the lands of the state in sufficient quantity and of such amounts, characteristics, and duration as to injure or harm the public health or welfare or animal life or property;**
- (14) “Port authority”, a political subdivision established under this chapter;**
- (15) “Port district boundaries”, the boundaries of any port authority on file with the clerk of the county commission, city clerk, or clerk of the legislative or governing body of the county as applicable, which became effective upon approval by the highways and transportation commission of the state**

of Missouri;

(16) “Project” or “port improvement project”, with respect to any property within a port improvement district, or benefitting property within a port improvement district:

(a) Providing for, or contracting for the provision of, environmental cleanup, including the disposal of solid waste, services to brownfields, or other polluted real property;

(b) Providing for, or contracting for the provision of, energy conservation or increased energy efficiency within any building, structure, or facility;

(c) Providing for, or contracting for the provision of, wetland creation, preservation, or relocation;

(d) The construction of any building, structure, or facility determined by the port authority as essential in developing energy resources, preventing, reducing, or eliminating pollution, or providing water facilities or the disposal of solid waste;

(e) Modifications to, or the relocation of, any existing building, structure, or facility that has been acquired or constructed, or which is to be acquired or constructed for the purpose of developing energy resources, preventing, reducing, or eliminating pollution, or providing water facilities or the disposal of solid waste;

(f) The acquisition of real property determined by the port authority to be significant in, or in the furtherance of, the history, architecture, archeology, or culture of the United States, the state of Missouri, or its political subdivisions;

(g) The operation, maintenance, repair, rehabilitation, or reconstruction of any existing public or private building, structure, or facility determined by the port authority to be significant in, or in the furtherance of, the history, architecture, archeology, or culture of the United States, the state of Missouri, or its political subdivisions;

(h) The construction of any new building, structure, or facility that is determined by the port authority to be significant in, or in the furtherance of, the history, architecture, archeology, or culture of the United States, the state of Missouri, or its political subdivisions;

(17) “Qualified project costs”, include any and all reasonable costs incurred or estimated to be incurred by a port authority, or a person or entity authorized by a port authority, in furtherance of a port improvement project, which costs may include, but are not limited to:

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

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, research, marketing, financial, planning, consulting, and special services, including professional service costs necessary or incident to determining the feasibility or practicability of any project and carrying out the same;

(c) Administrative fees and costs of a port authority in carrying out any of the purposes of this act;

(d) Property assembly costs, including, but not limited to, acquisition of land and other property and improvements, real or personal, or rights or interests therein, demolition of buildings and structures, and the clearing or grading of land, machinery, and equipment relating to any project, including the cost of demolishing or removing any existing structures;

(e) Costs of operating, rehabilitating, reconstructing, maintaining, and repairing existing

buildings, structures, or fixtures;

(f) Costs of constructing new buildings, structures, or fixtures;

(g) Costs of constructing, operating, rehabilitating, reconstructing, maintaining, and repairing public works or improvements;

(h) Financing costs, including, but not limited to, all necessary and incidental expenses related to the port authority's issuance of obligations, which may include capitalized interest on any such obligations and reasonable reserves related to any such obligations;

(i) All or a portion of the port authority's capital costs resulting from a port improvement project necessarily incurred or to be incurred in furtherance of a port improvement project, to the extent the port authority accepts and approves such costs; and

(j) Relocation costs, to the extent that a port authority determines that relocation costs shall be paid, or are required to be paid, by federal or state law;

(18) “Qualified voters”, for the purposes of an election for the approval of a real property tax or a sales and use tax:

(a) Registered voters residing within the district; or

(b) If no registered voters reside within the district, the owners of one or more parcels of real property within the district, which would be subject to such real property taxes or sales and use taxes, as applicable, based upon the recorded real estate records of the county recorder, or the city recorder of deeds if the district is located in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

(19) “Registered voters”, persons who reside within the district and who are qualified and registered to vote under chapter 115, as determined by the election authority as of the thirtieth day prior to the date of the applicable election;

(20) “Respondent”, the Missouri highways and transportation commission, each property owner within the proposed district, the municipality or municipalities within which the proposed district is located, the county or counties within which the proposed district is located, and any other political subdivision within the boundaries of the proposed port improvement district, except the petitioning port authority;

(21) “Revenues”, all rents, revenues from any levied real property tax and sales and use tax, charges and other income received by a port authority in connection with any project, including any gift, grant, loan, or appropriation received by the port authority with respect thereto;

(22) “Substantial changes”, with respect to an established port improvement district, the addition or removal of real property to or from the port improvement district and any changes to the approved district funding mechanism; and

(23) “Water facilities”, any facilities for the furnishing and treatment of water for industrial, commercial, agricultural, or community purposes including, but not limited to, wells, reservoirs, dams, pumping stations, water lines, sewer lines, treatment plants, stabilization ponds, storm sewers, storm water detention and retention facilities, and related equipment and machinery.

68.310. 1. A port authority may establish one or more port improvement districts within its port

district boundaries for the purpose of funding qualified project costs associated with an approved port improvement project. However, in any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants a port improvement district shall only be established within five thousand feet of the center of the Missouri River. Notwithstanding any provision of sections 68.300 to 68.360 to the contrary, a port authority district shall not have the authority to establish any port improvement district located within any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants. In order to form a district or to make substantial changes to an existing district, the board shall:

(1) Draft a petition in accordance with subsection 2 of this section;

(2) Hold a public hearing in accordance with section 68.315;

(3) Subsequent to the public hearing, approve by resolution the draft petition containing any approved changes and amendments deemed necessary or desirable by a majority of the board members;

(4) File the approved draft petition in the circuit court of the county where the port improvement district is located, requesting the creation of a port improvement district in accordance with sections 68.300 to 68.360; and

(5) Within thirty days of the circuit court's certification of the petition and establishment of the district, file a copy of the board's resolution approving the petition, the certified petition, and the circuit court judgment certifying the petition and establishing the district with the Missouri highways and transportation commission.

2. A petition is proper for consideration and approval by the board and the circuit court if, at the time of such approval, it has been signed by property owners collectively owning more than sixty percent per capita of all owners of real property within the boundaries of the proposed district and contains the following information:

(1) The legal description of the proposed district, including a map illustrating the legal boundaries. The proposed district shall be contiguous and may contain all or any portion of one or more municipalities and counties. Property separated only by public streets, easements or rights-of-way, or connected by a single public street, easement, or right-of-way shall be considered contiguous;

(2) A district name designation which shall be set out in the following format:

(a) The name of the Missouri county or municipality in which the port district boundaries are filed;

(b) The words "port improvement district"; and

(c) The district designation number, beginning at 1 for the first district formed by that specific port authority, and progressing consecutively upward, irrespective of the year established;

(3) A description of the proposed project or projects for which the district is being formed, and the estimated qualified project costs of such projects;

(4) The maximum rate or rates and duration of any proposed real property tax or sales and use tax, or both, as applicable, needed to fund the project;

(5) The estimated revenues projected to be generated by any such tax or taxes;

(6) The name and address of each respondent;

(7) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable;

(8) A request that the circuit court certify the projects under the act, approve the proposed real property tax or sales and use tax, or both, as applicable, and establish the district.

68.315. 1. Not more than ten days prior to the submission of the petition to the circuit court, the port authority shall hold or cause to be held a public hearing on the proposed project or projects, proposed real property tax or sales and use tax, or both, as applicable, and the establishment of the proposed district and shall give notice of the public hearing in the manner provided in subsection 3 of this section. All reasonable protests, objections, and endorsements shall be heard at the public hearing.

2. The public hearing may be continued to another date without further notice other than a motion to be entered on the official port authority meeting minutes fixing the date, time, and place of the continuance of the public hearing.

3. Notice shall be provided by both publication and mailing. Notice by publication shall be given by publication in a newspaper of general circulation within the municipality or county in which the port authority is located at least once not more than fifteen, but not less than ten, days prior to the date of the public hearing. Notice by mail shall be given not more than thirty, but not less than twenty, days prior to the date of the public hearing by sending the notice via registered or certified United States mail with a return receipt attached to the address of record of each owner within the boundaries of the proposed district. The published and mailed notices shall include the following:

(1) The date, time, and place of the public hearing;

(2) A statement that a petition for the establishment of a district has been drafted for public hearing by the board;

(3) The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists, and a map illustrating the proposed boundaries;

(4) A brief description of the projects proposed to be undertaken, the estimated cost thereof, and the proposed method of financing such costs by a real property tax or sales and use tax, or both, as applicable;

(5) A statement that a copy of the petition is available for review at the office of the port authority during regular business hours;

(6) The address of the port authority's office; and

(7) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

68.320. 1. Within thirty days after the petition is filed, the circuit court clerk shall serve a copy of the petition on the respondents who shall have thirty days after receipt of service to file an answer stating agreement with or opposition to the creation of the district. If any respondent files its answer opposing the creation of the district, it shall recite legal reasons why the petition is defective, why the

proposed district is illegal or unconstitutional, or why the proposed method for funding the district is illegal or unconstitutional. The respondent shall ask the court for a declaratory judgment respecting these issues. The answer of each respondent shall be served on each petitioner and every other respondent named in the petition. Any resident or taxpayer within the proposed district not qualifying as a respondent may join in or file a petition supporting or answer opposing the creation of the district and seeking a declaratory judgment respecting these same issues within thirty days after the date notice is last published by the circuit clerk under section 68.325.

2. The court shall hear the case without a jury. If the court shall thereafter determine the petition is defective or the proposed district is illegal or unconstitutional, or shall be an undue burden on any owner of property within the district or is unjust and unreasonable, it shall enter its declaratory judgment to that effect and shall refuse to make the certifications requested in the pleadings. If the court determines that any proposed funding method is illegal or unconstitutional, it shall enter its judgment striking that funding method in whole or in part. If the court determines the petition is not legally defective and the proposed district and method of funding are neither illegal nor unconstitutional, the court shall enter its judgment to that effect. The court shall then certify the single question regarding the proposed real property tax or sales and use tax, or both, as applicable, needed to fund the project for voter approval. If no objections to the petition are timely filed, the court may make such certifications based upon the pleadings before it without any hearing.

3. Any party having filed an answer or petition may appeal the circuit court's order or declaratory judgment in the same manner provided for other appeals.

68.325. The circuit court clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

NOTICE OF PETITION TO CREATE A PORT IMPROVEMENT DISTRICT

Notice is hereby given to all persons residing or owning property in (here specifically describe the proposed district boundaries), within the state of Missouri, that a petition has been filed asking that a port improvement district by the name of “..... Port District No.” be formed for the purpose of developing the following projects: (here summarize the proposed project or projects). A copy of this petition is on file and available at the office of the clerk of the circuit court of County, located at, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the port improvement district and requesting a declaratory judgment, as required by law, no later than the day of, 20..... You may show cause, if any, why such petition is defective or proposed port improvement district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be approved as directed by this court.

.....

Clerk of the Circuit Court of County

68.330. 1. Upon the port authority's own initiative, and after proper notice being provided and a public hearing being conducted in accordance with subsection 2 of this section, any district may be terminated by a resolution of the board, provided that there are no outstanding obligations secured

in any way by district revenues produced from such district. A copy of such resolution shall be filed with the Missouri highways and transportation commission within thirty days of its passage.

2. The public hearing required by this section shall be held and notice of such public hearing shall be given in the manner set forth in section 68.315. The notice shall contain the following information:

- (1) The date, time, and place of the public hearing;
- (2) A statement that the port authority proposes a resolution terminating the district; and
- (3) A statement that all interested parties will be given an opportunity to be heard.

3. Notwithstanding the requirements of this section, if the port authority that has formed the district is dissolved in accordance with this chapter, the district shall automatically be terminated, and any taxes levied shall simultaneously be repealed, except that this subsection shall not apply in such instance when a local port authority is dissolved under subsection 6 of section 68.060 in order to consolidate into a regional port authority.

68.335. 1. For the purposes of providing funds to pay all, or any portion of, the qualified project costs associated with any approved project, subsequent to the establishment of a district under this act, and subsequent to the circuit court's certification of a question regarding any proposed real property tax needed to fund a project, a port authority may levy by resolution a tax upon real property within the boundaries of the district; provided however, no such resolution shall be final nor shall it take effect until the qualified voters approve, by mail-in ballot election conducted in accordance with section 68.355, the circuit court's certified question regarding such proposed real property tax. If a majority of the votes cast by the qualified voters voting on the proposed real property tax are in favor of the tax, then the resolution shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the real property tax, then the resolution seeking to levy the real property tax shall be deemed to be null and void on the date on which the election may no longer be challenged under section 68.355. The port authority may levy a real property tax rate lower than the tax rate ceiling approved by the qualified voters under subsection 1 of this section and may, by resolution, increase that lowered tax rate to a level not exceeding the tax rate ceiling without approval of the qualified voters.

2. The ballot shall be substantially in the following form:

“Shall the (insert name of district) impose a real property tax upon (all real property) within the district at a rate of not more than (insert amount) dollars per hundred dollars assessed valuation for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of project or projects) in the district?”

YES

NO

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

3. A port authority may repeal or amend by resolution any real property tax imposed under this section before the expiration date of such real property tax unless the repeal or amendment of such real property tax will impair the port authority's ability to repay any obligations the port authority has incurred to pay any part of the cost of a port improvement project.

4. All property, real and personal, assessed under sections 151.010 to 151.340 is hereby specifically exempted from taxes levied, assessed, or payable under this section unless such real property tax levy is agreed to in writing by the property's owner.

68.340. 1. The county collector of each county in which the district is located, or the collector for the city in which the district is located if the district is located in a city not within a county, shall collect the real property tax made upon all real property within that county and district, in the same manner as other real property taxes are collected.

2. Every county or municipal collector and treasurer having collected or received district real property taxes shall, on or before the fifteenth day of each month and after deducting the reasonable and actual cost of such collection but not to exceed one percent of the total amount collected, remit to the port authority the amount collected or received by the port authority prior to the first day of such month. Upon receipt of such money, the port authority shall execute a receipt therefor, which shall be forwarded or delivered to the county collector or city treasurer who collected such money. The port authority shall deposit such sums which are designated for a specific project into a special trust fund to be expended solely for such purpose, or to the port authority treasury if such sums are not designated. The county or municipal collector or treasurer, and port authority shall make final settlement of the port authority account and costs owing, not less than once each year, if necessary.

3. Upon the expiration of any real property tax adopted under this section which is designated for a specific project, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the ballot adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the port authority under applicable laws relating to the investment of other port authority funds and the port authority may use such funds for other approved port improvement projects.

68.345. 1. For the purposes of providing funds to pay all, or any portion of, the qualified project costs associated with any approved project, subsequent to the establishment of a district under this act, and subsequent to the circuit court's certification of a question regarding any proposed sales and use tax needed to fund a project, a port authority may levy by resolution a district wide sales and use tax on all retail sales made in such district which are subject to taxation under sections 144.010 to 144.525, except sales of motor vehicles, trailers, boats or outboard motors, and sales to or from public utilities. Any sales and use tax imposed under this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent; except that, no resolution adopted under this section shall be final nor shall it take effect until the qualified voters approve, by mail-in ballot election conducted in accordance with section 68.350, the circuit court's certified question regarding such proposed sales and use tax. If a majority of the votes cast by the qualified voters on the proposed sales and use tax are in favor of the sales and use tax, then the resolution shall become effective. If a majority of the votes cast by the qualified voters are opposed to the sales and use tax, then the resolution seeking to levy the sales and use tax shall be deemed null and void on the date on which the election may no longer be challenged under section 68.355.

2. The ballot shall be substantially in the following form:

“Shall the (insert name of district) impose a district wide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for

..... (insert general description of project or projects)?

YES

NO

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

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the port authority shall, in accordance with section 32.087, notify the director of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of such sales and use tax.

4. The director of revenue shall collect any sales and use tax adopted under this section and section 32.087.

5. In each district in which a sales and use tax is imposed under this section, every retailer shall add such additional tax imposed by the port authority to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the port authority from a sales and use tax imposed under this section which is designated for a specific project shall be deposited into a special trust fund to be expended solely for such purpose, or to the port authority's treasury if such sums are not designated. Upon the expiration of any sales and use tax adopted under this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the ballot adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the port authority under applicable laws relating to the investment of other port authority funds and the port authority may use such funds for other approved port improvement projects.

8. A port authority may repeal by resolution any sales and use tax imposed under this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the port authority's ability to repay, or unless the sales and use tax in any way secure any outstanding obligations the port authority has incurred to pay any part of the qualified project costs of any approved port improvement project.

68.350. 1. Notwithstanding the provisions of chapter 115, except the provisions of section 115.125, when applicable, an election for any proposed real property tax or proposed sales and use tax, or both, within a district under this act shall be conducted in accordance with the provisions of this section.

2. After the board has passed a resolution approving the levy of a real property tax or a sales and use tax, or both, the board shall provide written notice of such resolution, along with the circuit court's certified question regarding the real property tax or the sales and use tax, or both, as applicable, to the election authority. The board shall be entitled to repeal or amend such resolution provided that written notice of such repeal or amendment is delivered to the election authority prior to the date that the election authority mails the ballots to the qualified voters.

3. Upon receipt of written notice of a port authority's resolution, along with the circuit court's

certified question, for the levy of a real property tax or a sales and use tax, or both, the election authority shall:

(1) Specify a date upon which the election shall occur, which date shall be a Tuesday and shall be, unless otherwise approved by the board, election authority, and applicable circuit court under section 115.125, not earlier than the tenth Tuesday, and not later than the fifteenth Tuesday, after the date the board passes the resolution and shall not be on the same day as an election conducted under the provisions of chapter 115;

(2) Publish notice of the election in a newspaper of general circulation within the municipality two times. The first publication date shall be not more than forty-five, but not less than thirty-five, days prior to the date of the election, and the second publication date shall be not more than twenty, and not less than ten, days prior to the date of the election. The published notice shall include, but not be limited to, the following information:

(a) The name and general boundaries of the district;

(b) The type of tax proposed (real property tax or sales and use tax or both), its rate or rates, and its purpose or purposes;

(c) The date the ballots for the election shall be mailed to qualified voters;

(d) The date of the election;

(e) The applicable definition of qualified voters;

(f) A statement that persons residing in the district shall register to vote with the election authority on or before the thirtieth day prior to the date of the election in order to be a qualified voter for purposes of the election;

(g) A statement that the ballot must be returned to the election authority's office in person, or by depositing the ballot in the United States mail addressed to the election authority's office and postmarked, not later than the date of the election; and

(h) A statement that any qualified voter that did not receive a ballot in the mail or lost the ballot received in the mail may pick up a mail-in ballot at the election authority's office, specifying the dates and time such ballot will be available and the location of the election authority's office;

(3) The election authority shall mail the ballot, a notice containing substantially the same information as the published notice, and a return addressed envelope directed to the election authority's office with a sworn affidavit on the reverse side of such envelope for the qualified voter's signature to each qualified voter not more than fifteen days and not less than ten days prior to the date of the election. For purposes of mailing ballots to real property owners, only one ballot shall be mailed per capita at the address shown on the official or recorded real estate records of the county recorder or the city recorder of deeds if the district is located in a city not within a county, as of the thirtieth day prior to the date of the election. Such affidavit shall be in substantially the following form:

FOR REGISTERED VOTERS:

I hereby declare under penalties of perjury that I reside in the Port Improvement District No. (insert name of district) and I am a registered voter and qualified

to vote in this election.

.....

Qualified Voter's Signature

.....

Printed Name of Qualified Voter

FOR REAL PROPERTY OWNERS:

I hereby declare under penalty of perjury that I am the owner of real property in the Port Improvement District No. (insert name of district) and qualified to vote in this election, or authorized to affix my signature on behalf of the owner (named below) of real property in the Port Improvement District No. (insert name of district) which is qualified to vote in this election.

.....

Signature

.....

Print Name of Real Property Owner

If Signer is Different from Owner:

Name of Signer:

State Basis of Legal Authority to Sign:

All persons or entities having a fee ownership in the property shall sign the ballot. Additional signature pages may be affixed to this ballot to accommodate all required signatures.

4. Each qualified voter shall have one vote. Each voted ballot shall be signed with the authorized signature.

5. Mail-in ballots shall be returned to the election authority's office in person, or by depositing the ballot in the United States mail addressed to the election authority's office and postmarked no later than the date of the election. The election authority shall transmit all voted ballots to a team of judges of not less than four. The judges shall be selected by the election authority from lists it has compiled. Upon receipt of the voted ballots, the judges shall verify the authenticity of the ballots, canvass the votes, and certify the results. Certification by the election judges shall be final and shall be immediately transmitted to the election authority. Any qualified voter who voted in such election may contest the result in the same manner as provided in chapter 115.

6. The results of the election shall be entered upon the records of the election authority and two certified copies of the election results shall be filed with the port authority and entered upon the records of the port authority.

7. The port authority shall reimburse the election authority for the costs it incurs to conduct an election under this section.

8. Notwithstanding anything to the contrary, nothing in this act shall prevent a port authority from proposing both a real property tax levy question and a sales and use tax levy question to the

district's qualified voters in the same election.

68.355. No lawsuit to set aside a district established or a tax levied under this act, or to otherwise question the validity of the proceedings related thereto, shall be brought after the expiration of ninety days from the effective date of the circuit court judgment establishing such district in question or the effective date of the resolution levying such tax in question.

68.359. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 68.025 to 68.360 shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of sections 68.025 to 68.360.

68.360. 1. The provisions of this section shall only apply to a port authority that has formed a district.

2. In addition to any other report required of a port authority, within one hundred twenty days following the last day of the port authority's fiscal year, the board shall submit a report to the clerk of either the municipality or county which formed the port authority under section 68.010, and to the Missouri department of transportation stating the services provided, revenues collected and expenditures made by the district during such fiscal year, and copies of written resolutions approved by the board during the fiscal year. The municipal clerk or county clerk, as applicable, shall retain this report as part of the official records of the municipality or county and shall also cause this report to be spread upon the records of the governing body.

3. In addition to the report required under subsection 2 of this section, upon the approval by the qualified voters of a real property tax or sales and use tax, or both, in accordance with the act, each authority shall annually submit a report to the auditor of the state of Missouri in accordance with section 105.145.

68.370. Any expenditure made by the port authority that is over twenty-five thousand dollars, including professional service contracts, shall be competitively bid.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted.

At the request of Senator Griesheimer, **HCS** for **HB 1290**, with **SCS**, **SS** for **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

HB 1270, introduced by Representative Meiners, entitled:

An Act to repeal sections 201.010, 201.020, 201.030, 201.040, 201.050, 201.070, 201.080, and 201.090, RSMo, and to enact in lieu thereof eight new sections relating to children's special health care needs.

Was taken up by Senator Justus.

Senator Justus offered **SS** for **HB 1270**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1270

An Act to repeal sections 201.010, 201.020, 201.030, 201.040, 201.050, 201.070, 201.080, and 201.090, RSMo, and to enact in lieu thereof nine new sections relating to children's health care needs, with an emergency clause for a certain section.

Senator Justus moved that **SS** for **HB 1270** be adopted.

Senator Crowell raised the point of order that **SS** for **HB 1270** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Crowell, his point of order was withdrawn.

At the request of Senator Justus, **SS** for **HB 1270** was withdrawn.

On motion of Senator Justus, **HB 1270** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|----------|--------|----------|-----------------|----------|----------|------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Griesheimer | Justus | Lager | Lembke |
| Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway | Schaefer | Schmitt |
| Shields | Shoemyer | Vogel | Wilson | Wright-Jones—29 | | | |

NAYS—Senators—None

Absent—Senators

| | | | |
|-------|------|-------|------------|
| Green | Rupp | Scott | Stouffer—4 |
|-------|------|-------|------------|

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HB 1894, introduced by Representative Bringer, entitled:

An Act to repeal section 630.220, RSMo, and to enact in lieu thereof one new section relating to collection of payment for certain mental health services.

Was taken up by Senator Bray.

Senator Shields offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1894, Page 1, In the Title, Line 3 of the title, by striking said line and inserting in lieu thereof the following: “the administrative functions of the department of mental health.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“630.060. **1.** The department shall seek and encourage cooperation and active participation of communities, counties, organizations, agencies, private and not-for-profit corporations and individuals in the effort to establish and maintain quality programs and services for persons affected by mental disorders, developmental disabilities or alcohol or drug abuse. The department shall develop programs of public

information and education for this purpose.

2. The department shall cooperate with and may directly contract with all state agencies, local units of government, and any of the governor's advisory councils or commissions, or their successor agencies, and with the Missouri Mental Health Foundation, or its successor entity, in delivery of programs designed to improve public understanding of attitudes toward mental disorders, developmental disabilities, and alcohol and drug abuse pursuant to subdivision (3) of subsection 1 of section 630.020. For purposes of this section, the contracting process of the department with these entities need not be governed by the provisions of chapter 34.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted, which motion prevailed.

Senator Bray offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1894, Page 1, In the Title, Line 3, by striking “collection of payment for”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“208.453. Every hospital as defined by section 197.020, RSMo, except [public hospitals which are operated primarily for the care and treatment of mental disorders and] any hospital operated by the department of health and senior services, shall, in addition to all other fees and taxes now required or paid, pay a federal reimbursement allowance for the privilege of engaging in the business of providing inpatient health care in this state. For the purpose of this section, the phrase “engaging in the business of providing inpatient health care in this state” shall mean accepting payment for inpatient services rendered. The federal reimbursement allowance to be paid by a hospital which has an unsponsored care ratio that exceeds sixty-five percent or hospitals owned or operated by the board of curators, as defined in chapter 172, RSMo, may be eliminated by the director of the department of social services. The unsponsored care ratio shall be calculated by the department of social services.”; and

Further amend the title and enacting clause accordingly.

Senator Bray moved that the above amendment be adopted, which motion prevailed.

Senator Bray moved that **HB 1894**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Shields referred **HB 1894**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Griesheimer assumed the Chair.

HCS for HB 1898, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the women’s heart health program.

Was taken up by Senator Dempsey.

Senator Wilson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1898, Page 2, Section 191.425, Line 23, by inserting immediately after said line the following:

“376.1245. 1. Each health benefit plan that is delivered, issued for delivery, or renewed in this state that provides coverage for the administration of viral influenza immunization vaccines shall provide coverage for such vaccines that are administered outside of a health care provider's office in an educational or pharmaceutical setting on a basis no less favorable than viral influenza immunization vaccines that are administered in a health care provider's office. As used in this section, the term “health benefit plan” shall have the same meaning ascribed to it in section 376.1350.

2. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.”; and

Further amend the title and enacting clause accordingly.

Senator Wilson moved that the above amendment be adopted.

Senator Dempsey raised the point of order that **SA 1** is out of order as it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Wilson, **SA 1** was withdrawn, rendering the pending point of order moot.

Senator Shields offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1898, Page 1, In the Title, Lines 2-3, by striking the following: “the women's heart health program” and inserting in lieu thereof the following: “programs administered by the department of health and senior services”; and

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

“190.108. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an air ambulance license.

2. The department shall have the authority and responsibility to license an air ambulance service in accordance with sections 190.001 to 190.245, and in accordance with rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an air ambulance license including, but not limited to:

- (1) Medical control plans;
- (2) Medical director qualifications;
- (3) Air medical staff qualifications;
- (4) Response and operations standards to assure that the health and safety needs of the public are met;
- (5) Standards for air medical communications;

- (6) Criteria for compliance with licensure requirements;
- (7) Records and forms;
- (8) Equipment requirements;
- (9) Five-year license renewal;
- (10) Quality improvement committees; and
- (11) Response time, patient care and transportation standards.

3. Application for an air ambulance service license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the air ambulance service meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon the sale or transfer of any air ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245.

5. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.109. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for a ground ambulance license.

2. Any person that owned and operated a licensed ambulance on December 31, 1997, shall receive an ambulance service license from the department, unless suspended, revoked or terminated, for that ambulance service area which was, on December 31, 1997, described and filed with the department as the primary service area for its licensed ambulances on August 28, 1998, provided that the person makes application and adheres to the rules and regulations promulgated by the department pursuant to sections 190.001 to 190.245.

3. The department shall issue a new ground ambulance service license to an ambulance service that is not currently licensed by the department, or is currently licensed by the department and is seeking to expand its ambulance service area, except as provided in subsection 4 of this section, to be valid for a period of five years, unless suspended, revoked or terminated, when the director finds that the applicant meets the requirements of ambulance service licensure established pursuant to sections 190.100 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. In order to be considered for a new ambulance service license, an ambulance service shall submit to the department a letter of endorsement from each ambulance district or fire protection district that is authorized to provide ambulance service, or from each municipality not within an ambulance district or fire protection district that is authorized to provide ambulance service, in which the ambulance service proposes to operate. If an ambulance service proposes to operate in unincorporated portions of a county not within an ambulance district or fire protection district that is authorized to provide ambulance service, in order to be considered for a new ambulance service license, the ambulance service shall submit to the department a letter of endorsement from the

county. Any letter of endorsement required pursuant to this section shall verify that the political subdivision has conducted a public hearing regarding the endorsement and that the governing body of the political subdivision has adopted a resolution approving the endorsement. The letter of endorsement shall affirmatively state that the proposed ambulance service:

- (1) Will provide a benefit to public health that outweighs the associated costs;
- (2) Will maintain or enhance the public's access to ambulance services;
- (3) Will maintain or improve the public health and promote the continued development of the regional emergency medical service system;
- (4) Has demonstrated the appropriate expertise in the operation of ambulance services; and
- (5) Has demonstrated the financial resources necessary for the operation of the proposed ambulance service.

4. A contract between a political subdivision and a licensed ambulance service for the provision of ambulance services for that political subdivision shall expand, without further action by the department, the ambulance service area of the licensed ambulance service to include the jurisdictional boundaries of the political subdivision. The termination of the aforementioned contract shall result in a reduction of the licensed ambulance service's ambulance service area by removing the geographic area of the political subdivision from its ambulance service area, except that licensed ambulance service providers may provide ambulance services as are needed at and around the state fair grounds for protection of attendees at the state fair.

5. The department shall renew a ground ambulance service license if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245.

6. The department shall promulgate rules relating to the requirements for a ground ambulance service license including, but not limited to:

- (1) Vehicle design, specification, operation and maintenance standards;
- (2) Equipment requirements;
- (3) Staffing requirements;
- (4) Five-year license renewal;
- (5) Records and forms;
- (6) Medical control plans;
- (7) Medical director qualifications;
- (8) Standards for medical communications;
- (9) Memorandums of understanding with emergency medical response agencies that provide advanced life support;
- (10) Quality improvement committees; and
- (11) Response time, patient care and transportation standards.

7. Application for a ground ambulance service license shall be made upon such forms as prescribed by

the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the ground ambulance service meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

8. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.131. 1. The department shall accredit or certify training entities for first responders, emergency medical dispatchers, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245.

2. Such rules promulgated by the department shall set forth the minimum requirements for entrance criteria, training program curricula, instructors, facilities, equipment, medical oversight, record keeping, and reporting. **The rules shall prescribe the amount of fees to be required for certification and recertification under this section. All certification fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.**

3. Application for training entity accreditation or certification shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems reasonably necessary to make a determination as to whether the training entity meets all requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon receipt of such application for training entity accreditation or certification, the department shall determine whether the training entity, its instructors, facilities, equipment, curricula and medical oversight meet the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

5. Upon finding these requirements satisfied, the department shall issue a training entity accreditation or certification in accordance with rules promulgated by the department pursuant to sections 190.001 to 190.245.

6. Subsequent to the issuance of a training entity accreditation or certification, the department shall cause a periodic review of the training entity to assure continued compliance with the requirements of sections 190.001 to 190.245 and all rules promulgated pursuant to sections 190.001 to 190.245.

7. No person or entity shall hold itself out or provide training required by this section without accreditation or certification by the department.

190.133. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an emergency medical response agency license.

2. The department shall issue a license to any emergency medical response agency which provides advanced life support if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical response agency including,

but not limited to:

- (1) A licensure period of five years;
- (2) Medical direction;
- (3) Records and forms; and
- (4) Memorandum of understanding with local ambulance services.

3. Application for an emergency medical response agency license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical response agency meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. No person or entity shall hold itself out as an emergency medical response agency that provides advanced life support or provide the services of an emergency medical response agency that provides advanced life support unless such person or entity is licensed by the department.

5. Only emergency medical response agencies, fire departments, and fire protection districts may provide certain ALS services with the services of EMT-Is.

6. Emergency medical response agencies functioning with the services of EMT-Is must work in collaboration with an ambulance service providing advanced life support with personnel trained to the emergency medical technician-paramedic level.

7. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

- (1) Age requirements;
- (2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;
- (3) Initial licensure testing requirements;
- (4) Continuing education and relicensure requirements; and
- (5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application

form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend said bill, Page 2, Section 191.425, Line 23, by inserting after all of said the following:

“210.221. 1. The department of health and senior services shall have the following powers and duties:

(1) After inspection, to grant licenses to persons to operate child-care facilities if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of children, and to renew the same when expired. No license shall be granted for a term exceeding two years. Each license shall specify the kind of child-care services the licensee is authorized to perform, the number of children that can be received or maintained, and their ages and sex;

(2) To inspect the conditions of the homes and other places in which the applicant operates a child-care facility, inspect their books and records, premises and children being served, examine their officers and agents, deny, suspend, place on probation or revoke the license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the department of health and senior services. The director also may revoke or suspend a license when the licensee fails to renew or surrenders the license;

(3) To promulgate and issue rules and regulations the department deems necessary or proper in order to establish standards of service and care to be rendered by such licensees to children. No rule or regulation promulgated by the division shall in any manner restrict or interfere with any religious instruction, philosophies or ministries provided by the facility and shall not apply to facilities operated by religious organizations which are not required to be licensed; and

(4) To determine what records shall be kept by such persons and the form thereof, and the methods to be used in keeping such records, and to require reports to be made to the department at regular intervals.

2. Any child-care facility may request a variance from a rule or regulation promulgated pursuant to this section. The request for a variance shall be made in writing to the department of health and senior services and shall include the reasons the facility is requesting the variance. The department shall approve any variance request that does not endanger the health or safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a variance application shall be with the department of health and senior services. Local inspectors may grant a variance, subject to approval by the department of health and senior services.

3. The department shall deny, suspend, place on probation or revoke a license if it receives official written notice that the local governing body has found that license is prohibited by any local law related to the health and safety of children. The department may, after inspection, find the licensure, denial of licensure, suspension or revocation to be in the best interest of the state.

4. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 210.201 to 210.245 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted.

Senator Dempsey raised the point of order that **SA 2** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Dempsey, **HCS for HB 1898** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|---------|----------|----------|-------------|-----------------|------------|----------|
| Barnitz | Bartle | Bray | Callahan | Clemens | Crowell | Cunningham | Days |
| Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Keaveny | Lager |
| Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway | Schaefer |
| Schmitt | Shields | Shoemyer | Vogel | Wilson | Wright-Jones—30 | | |

NAYS—Senators—None

Absent—Senators

| | | | |
|----------|------|-------|------------|
| Champion | Rupp | Scott | Stouffer—4 |
|----------|------|-------|------------|

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HCS for HB 1977, entitled:

An Act to repeal sections 190.060, 190.092, 190.133, 190.143, 190.196, 190.528, and 191.630, RSMo, and to enact in lieu thereof seven new sections relating to emergency medical technicians.

Was taken up by Senator Griesheimer.

Senator Shields offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1977, Page 1, In the Title, Line 4, by striking the word “technicians” and inserting in lieu thereof the following: “services”; and

Further amend said bill, page 5, section 190.092, line 36, by inserting after all of said line the following:

“190.108. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an air ambulance license.

2. The department shall have the authority and responsibility to license an air ambulance service in accordance with sections 190.001 to 190.245, and in accordance with rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an air ambulance license including, but not limited to:

- (1) Medical control plans;
- (2) Medical director qualifications;
- (3) Air medical staff qualifications;
- (4) Response and operations standards to assure that the health and safety needs of the public are met;
- (5) Standards for air medical communications;
- (6) Criteria for compliance with licensure requirements;
- (7) Records and forms;
- (8) Equipment requirements;
- (9) Five-year license renewal;
- (10) Quality improvement committees; and
- (11) Response time, patient care and transportation standards.

3. Application for an air ambulance service license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the air ambulance service meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon the sale or transfer of any air ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245.

5. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.109. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for a ground ambulance license.

2. Any person that owned and operated a licensed ambulance on December 31, 1997, shall receive an ambulance service license from the department, unless suspended, revoked or terminated, for that ambulance service area which was, on December 31, 1997, described and filed with the department as the primary service area for its licensed ambulances on August 28, 1998, provided that the person makes application and adheres to the rules and regulations promulgated by the department pursuant to sections 190.001 to 190.245.

3. The department shall issue a new ground ambulance service license to an ambulance service that is not currently licensed by the department, or is currently licensed by the department and is seeking to expand its ambulance service area, except as provided in subsection 4 of this section, to be valid for a period of five years, unless suspended, revoked or terminated, when the director finds that the applicant meets the requirements of ambulance service licensure established pursuant to sections 190.100 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. In order to be considered for a new ambulance service license, an ambulance service shall submit to the department a letter of endorsement from each ambulance district or fire protection district that is authorized to provide ambulance service, or from each municipality not within an ambulance district or fire protection district that is authorized to provide ambulance service, in which the ambulance service proposes to operate. If an ambulance service proposes to operate in unincorporated portions of a county not within an ambulance district or fire protection district that is authorized to provide ambulance service, in order to be considered for a new ambulance service license, the ambulance service shall submit to the department a letter of endorsement from the county. Any letter of endorsement required pursuant to this section shall verify that the political subdivision has conducted a public hearing regarding the endorsement and that the governing body of the political subdivision has adopted a resolution approving the endorsement. The letter of endorsement shall affirmatively state that the proposed ambulance service:

- (1) Will provide a benefit to public health that outweighs the associated costs;
- (2) Will maintain or enhance the public's access to ambulance services;
- (3) Will maintain or improve the public health and promote the continued development of the regional

emergency medical service system;

(4) Has demonstrated the appropriate expertise in the operation of ambulance services; and

(5) Has demonstrated the financial resources necessary for the operation of the proposed ambulance service.

4. A contract between a political subdivision and a licensed ambulance service for the provision of ambulance services for that political subdivision shall expand, without further action by the department, the ambulance service area of the licensed ambulance service to include the jurisdictional boundaries of the political subdivision. The termination of the aforementioned contract shall result in a reduction of the licensed ambulance service's ambulance service area by removing the geographic area of the political subdivision from its ambulance service area, except that licensed ambulance service providers may provide ambulance services as are needed at and around the state fair grounds for protection of attendees at the state fair.

5. The department shall renew a ground ambulance service license if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245.

6. The department shall promulgate rules relating to the requirements for a ground ambulance service license including, but not limited to:

(1) Vehicle design, specification, operation and maintenance standards;

(2) Equipment requirements;

(3) Staffing requirements;

(4) Five-year license renewal;

(5) Records and forms;

(6) Medical control plans;

(7) Medical director qualifications;

(8) Standards for medical communications;

(9) Memorandums of understanding with emergency medical response agencies that provide advanced life support;

(10) Quality improvement committees; and

(11) Response time, patient care and transportation standards.

7. Application for a ground ambulance service license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the ground ambulance service meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

8. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.131. 1. The department shall accredit or certify training entities for first responders, emergency medical dispatchers, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245.

2. Such rules promulgated by the department shall set forth the minimum requirements for entrance criteria, training program curricula, instructors, facilities, equipment, medical oversight, record keeping, and reporting. **The rules shall prescribe the amount of fees to be required for certification and recertification under this section. All certification fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.**

3. Application for training entity accreditation or certification shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems reasonably necessary to make a determination as to whether the training entity meets all requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon receipt of such application for training entity accreditation or certification, the department shall determine whether the training entity, its instructors, facilities, equipment, curricula and medical oversight meet the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

5. Upon finding these requirements satisfied, the department shall issue a training entity accreditation or certification in accordance with rules promulgated by the department pursuant to sections 190.001 to 190.245.

6. Subsequent to the issuance of a training entity accreditation or certification, the department shall cause a periodic review of the training entity to assure continued compliance with the requirements of sections 190.001 to 190.245 and all rules promulgated pursuant to sections 190.001 to 190.245.

7. No person or entity shall hold itself out or provide training required by this section without accreditation or certification by the department.”; and

Further amend said bill and page, section 190.133, line 26, by inserting after all of said line the following:

“5. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

- (1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements;

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. The department shall promulgate rules prescribing the amount of fees to be required for licensure and relicensure under this section. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Griesheimer, **HCS** for **HB 1977**, as amended, was placed on the Informal Calendar.

CONCURRENT RESOLUTIONS

Senator Nodler moved that **SCR 55** be taken up for adoption, which motion prevailed.

On motion of Senator Nodler, **SCR 55** was adopted by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|---------|--------|----------|----------|-------------|----------|------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Keaveny |
| Lager | Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway |

Schaefer Schmitt Shields Shoemyer Vogel Wilson Wright-Jones—31

NAYS—Senators—None

Absent—Senators

Rupp Scott Stouffer—3

Absent with leave—Senators—None

Vacancies—None

HOUSE BILLS ON THIRD READING

Senator Griesheimer moved that **HCS** for **HB 1977**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Bray offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1977, Page 9, Section 191.630, Line 18, by inserting after all of said line the following:

“431.068. 1. [Notwithstanding the provisions of section 431.061, any person seventeen years of age or older may donate blood voluntarily without the necessity of obtaining the permission or authorization of his or her parent or guardian.

2.] Any person **between sixteen and seventeen** years of age may donate blood, if that person obtains written permission or authorization from his or her parent or guardian.

[3.] **2.** No person under the age of eighteen shall receive compensation for any blood donated without the written authorization of his or her parent or guardian.

3. The department of health and senior services shall develop a parental disclosure form for all donors between sixteen and seventeen years of age. This form shall provide information regarding donor risks and safety precautions.”; and

Further amend the title and enacting clause accordingly.

Senator Bray moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Griesheimer, **HCS** for **HB 1977**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz Bartle Bray Callahan Champion Clemens Crowell Cunningham
Days Dempsey Engler Goodman Green Griesheimer Justus Keaveny
Lager Lembke Mayer McKenna Nodler Pearce Purgason Ridgeway
Schaefer Scott Shields Shoemyer Vogel Wilson Wright-Jones—31

NAYS—Senators—None

Absent—Senators

Rupp Schmitt Stouffer—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Griesheimer, title to the bill was agreed to.

Senator Griesheimer moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

HB 2270, introduced by Representative Cooper, entitled:

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to SAFE CARE providers.

Was taken up by Senator Shields.

On motion of Senator Shields, **HB 2270** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|----------|---------|--------|----------|----------|-------------|----------|-----------------|
| Barnitz | Bartle | Bray | Callahan | Champion | Clemens | Crowell | Cunningham |
| Days | Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Keaveny |
| Lager | Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway |
| Schaefer | Schmitt | Scott | Shields | Shoemyer | Vogel | Wilson | Wright-Jones—32 |

NAYS—Senators—None

Absent—Senators

Rupp Stouffer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Shields, title to the bill was agreed to.

Senator Shields moved that the vote by which the bill passed be reconsidered.

Senator Engler moved that motion lay on the table, which motion prevailed.

Senator Dempsey assumed the Chair.

CONCURRENT RESOLUTIONS

Senator Lager moved that **SCR 52** be taken up for adoption, which motion prevailed.

On motion of Senator Lager, **SCR 52** was adopted by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|--------|----------|----------|-------------|----------|-----------------|----------|
| Barnitz | Bartle | Callahan | Champion | Clemens | Crowell | Cunningham | Days |
| Dempsey | Engler | Goodman | Green | Griesheimer | Justus | Keaveny | Lager |
| Lembke | Mayer | McKenna | Nodler | Pearce | Purgason | Ridgeway | Schaefer |
| Schmitt | Scott | Shields | Shoemyer | Vogel | Wilson | Wright-Jones—31 | |

NAYS—Senators—None

Absent—Senators

Bray Rupp Stouffer—3

Absent with leave—Senators—None

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 588**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2016**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements; and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2010 and ending June 30, 2011.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCR 70—Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Green offered Senate Resolution No. 2331, regarding Bernice Williams, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Head Coach Dan Backmeier, Assistant Coaches Brendan Cary and Tom Kirkland, Managers Haley Meuer and Kelsey Sontag and members of the Class 2 State Champion Harrisburg High School Girls Basketball team, Ashley Fisher, Chelcie Proctor, Bethany Wesselmann, Lindsey Roberts, Shanna Proctor, Erika Skaggs, Jennifer Beckley, Shelbie Ray, Harly Moore, Ashley Johnmeyer, Sammi Dixon, Chelsey Kroese, Paige Heibel, Jackie Williams and Tina Chickering.

Senator Pearce introduced to the Senate, Phil Duncan, Cass County.

Senator Justus introduced to the Senate, the Physician of the Day, Dr. Jeremy Bird, M.D., Kansas City.

Senator Shields introduced to the Senate, Dr. Alan and Marge Brewer, St. Joseph.

Senator Nodler introduced to the Senate, Eric and Chris Roll and their children, Gretchen and Joe, Joplin; and Gretchen and Joe were made honorary pages.

Senator Keaveny introduced to the Senate, Kimmy Mathis, Kathy Carr, parents and students from Kennard Classical Junior Academy, St. Louis; and Joseph Mathis, Margaret Mathis, Michael Mathis, Allyson Brink and Brendan Carr were made honorary pages.

Senator Crowell introduced to the Senate, Lauren Chase and her children, Renee and Matt Hamlett and Bucky McCarley, Jackson.

Senator McKenna introduced to the Senate, his wife, Angela and their son, Kellan Patrick, Crystal City.

On motion of Senator Engler, the Senate adjourned until 9:30 a.m., Wednesday, April 28, 2010.

SENATE CALENDAR

SIXTIETH DAY–WEDNESDAY, APRIL 28, 2010

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HCS for HB 2016

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SB 627-Justus (In Fiscal Oversight) | 6. SS for SCS for SB 884-Schaefer (In Fiscal Oversight) |
| 2. SJR 20-Bartle (In Fiscal Oversight) | 7. SCS for SB 622-Shoemyer (In Fiscal Oversight) |
| 3. SB 779-Bartle (In Fiscal Oversight) | 8. SS for SB 1057-Shields (In Fiscal Oversight) |
| 4. SCS for SB 944-Shields (In Fiscal Oversight) | |
| 5. SB 1026-Rupp (In Fiscal Oversight) | |

9. SS for SB 1007-Dempsey
(In Fiscal Oversight)

10. SCS for SB 969-Keaveny

HOUSE BILLS ON THIRD READING

1. HCS for HB 1675, with SCS (Ridgeway)
(In Fiscal Oversight)

2. HJR 76-Dethrow, et al, with SCS
(Purgason) (In Fiscal Oversight)

3. HCS for HB 2048, with SCS (Lager)
(In Fiscal Oversight)

4. HCS for HBs 1408 & 1514 (Lembke)
(In Fiscal Oversight)

5. HB 1609-Diehl, with SCS (Bartle)

6. HCS#2 for HBs 1692, 1209, 1405, 1499,
1535 & 1811, with SCS (Bartle)
(In Fiscal Oversight)

7. HCS for HB 1840 (Mayer)

8. HCS for HB 1848 (Justus)

9. HCS for HB 1903, with SCS (Mayer)

10. HB 2317-Tracy, with SCS (Crowell)

11. HCS for HB 2231 (Goodman)

12. HCS for HB 1893, with SCA 1 (Schaefer)

13. HCS for HB 2081 (Goodman)

14. HCS for HB 2161 (Goodman)

15. HCS for HB 1965, with SCS (Cunningham)

16. HCS for HB 1764, with SCS (Rupp)

17. HB 1713-Sander, et al (Schaefer)

18. HCS for HB 1831, with SCS (Stouffer)

19. HCS for HBs 2147 & 2261 (Pearce)

20. HCS for HBs 1311 & 1341, with SCS
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 631-Cunningham
(In Fiscal Oversight)

SCS for SB 826-Griesheimer
SB 1001-Griesheimer

SENATE BILLS FOR PERFECTION

SB 579-Shields, with SCS

SB 587-Nodler and Cunningham,
with SCS & SA 1 (pending)

SB 596-Callahan, with SCS (pending)

SB 606-Stouffer

SBs 607, 602, 615 & 725-Stouffer,
with SCS & SA 1 (pending)

SB 639-Schmitt, with SCS & SS for SCS
(pending)

SB 643-Keaveny, with SCS, SS for SCS,
SA 1 & SA 1 to SA 1 (pending)

SB 698-Griesheimer, with SCS,
SS for SCS & SA 1 (pending)

SB 705-Griesheimer

SB 738-Crowell, with SCS

SB 747-Rupp, et al, with SA 1 (pending)

SB 784-Schaefer and Pearce

SB 792-Dempsey and Rupp, with SS (pending)

| | |
|---|---|
| SB 797-Green | SB 905-Bray, et al, with SCS & SS for SCS (pending) |
| SB 810-Lager, with SCS | SB 999-Schaefer |
| SB 818-Lembke, with SCS, SS for SCS & SA 1 (pending) | SB 1016-Mayer, with SCS |
| SB 839-Wright-Jones, with SCS | SB 1017-Mayer, with SCS (pending) |
| SB 852-Lager, et al, with SS, SA 1 & SSA 1 for SA 1 (pending) | SB 1060-Bartle, with SCS |
| SB 868-Shields | SJR 22-Callahan |
| SB 878-Lembke, with SCS & SS for SCS (pending) | SJR 25-Cunningham, et al, with SCS, SS#2 for SCS & SA 5 (pending) |
| SBs 880, 780 & 836-Schaefer, with SCS, SS for SCS & SA 1 (pending) | SJR 29-Purgason and Cunningham, with SCS & SS#2 for SCS (pending) |
| SBs 895, 813, 911, 924, 922 & 802-Dempsey, et al, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) | SJR 31-Scott |
| SB 896-Shields and Crowell, with SA 1 (pending) | SJR 33-Bartle, with SA 1 (pending) |
| | SJR 34-Goodman, et al, with SA 1 (pending) |
| | SJR 38-Ridgeway |
| | SJR 40-Goodman, with SA 1 (pending) |

HOUSE BILLS ON THIRD READING

| | |
|---|--|
| SS#2 for HB 1268-Meiners (Justus) (In Fiscal Oversight) | HCS#2 for HB 1472 (Schaefer) |
| HCS for HB 1290, with SCS, SS for SCS & SA 4 (pending) (Griesheimer) | HB 1595-Dugger, et al (Purgason) |
| HB 1424-Franz, with SCS (pending) (McKenna) | HB 1894-Bringer (Bray) (In Fiscal Oversight) |
| SS for SCS for HB 1442-Jones (89), et al (Nodler) (In Fiscal Oversight) | HB 2109-Ruzicka, with SCS (Lager) |
| | SS for SCS for HB 2111-Faith, et al (Stouffer) (In Fiscal Oversight) |
| | HCS for HJR 86, with SCS & SS for SCS (pending) (Stouffer) |

CONSENT CALENDAR

House Bills

Reported 4/15

| | |
|--|---|
| HB 1392-Kirkton, et al, with SCS (Bray) | HB 1892-Nasheed, et al, with SCS (Cunningham) |
| HB 2056-Diehl (Bartle) | HCS for HB 1858, with SCS (Shoemyer) |
| HB 1654-Zimmerman, et al (Goodman) | |
| HB 2182-Munzlinger and Smith (150) (Clemens) | |

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

| | |
|--|-----------------------------------|
| HCS for HB 2001, with SCS (Mayer) | HCS for HB 2008, with SCS (Mayer) |
| HCS for HB 2002, with SS for SCS (Mayer) | HCS for HB 2009, with SCS (Mayer) |
| HCS for HB 2003, with SS for SCS (Mayer) | HCS for HB 2010, with SCS (Mayer) |
| HCS for HB 2004, with SCS (Mayer) | HCS for HB 2011, with SCS (Mayer) |
| HCS for HB 2005, with SCS (Mayer) | HCS for HB 2012, with SCS (Mayer) |
| HCS for HB 2006, with SCS (Mayer) | HCS for HB 2013, with SCS (Mayer) |
| HCS for HB 2007, with SCS (Mayer) | |

RESOLUTIONS

Reported from Committee

| | |
|--|--------------------------------|
| SCR 42-Bray, with SCA 1 | HCS for HCRs 34 & 35 (Schmitt) |
| HCS for HCR 18, with SA 1 (pending) (Rupp) | SR 1744-Shields |
| SCR 46-Stouffer | SCR 57-Ridgeway |
| HCR 38-Icet, et al, with SCA 1 (Lembke) | |

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