

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 6, 2011

The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“He shall be like a tree planted by the rivers of water, that brings forth his fruit in his season;...” (Psalm 1:3a)

Almighty God, You have planted us in You and there we have found a source of nourishment which sustains us from day to day. Our lives rooted deeply and firmly in Your promises provide us strength, assurance and final victory. And we are thankful that we can bear fruit by our efforts here to assist the people of Missouri. 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.

Senator Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 697, regarding Downtown Washington, Inc., which was adopted.

Senator Parson offered Senate Resolution No. 698, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Beryl McCoy, Sedalia, which was adopted.

Senator Dempsey offered Senate Resolution No. 699, regarding Detective David Kleinschmidt of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 700, regarding Detective Mike Myers of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 701, regarding Detective Ray Juengst of the Saint Charles Police Department, which was adopted.

Senator Dempsey offered Senate Resolution No. 702, regarding Amber Choat, Autumn Boyd and Daniel Smith, which was adopted.

Senator Dempsey offered Senate Resolution No. 703, regarding Christopher Watson, which was adopted.

Senator Dempsey offered Senate Resolution No. 704, regarding Ryan French and Brian Braun, which was adopted.

Senator Dempsey offered Senate Resolution No. 705, regarding Elaine Stevenson and Jerry Congleton, which was adopted.

Senator Dempsey offered Senate Resolution No. 706, regarding John Barrett and Peter Ingracia, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Crowell moved that **SB 202** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Crowell offered **SS** for **SB 202**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 202

An Act to repeal section 33.103, RSMo, and to enact in lieu thereof two new sections relating to labor organizations, with a referendum clause.

Senator Crowell moved that **SS** for **SB 202** be adopted.

Senator Lamping offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 202, Pages 1-4, Section 33.103, by striking all of said section from the bill; and

Further amend said bill, page 4, section 105.504, lines 18-27 by striking all of said lines and inserting in lieu thereof, the following: “**labor organization, or individuals who are not members.**”; and further

amend said section, page 5, lines 1-7 by striking all of said lines; and further amend said section, page 6, line 12, by striking “**subsections 2 and**” and inserting in lieu thereof, the following: “**subsection**”; and further amend said section, page 7, line 1 by striking “**subsections 2 or**” and inserting in lieu thereof, the following: “**subsection**”; and further amend said section, lines 3-13, by striking all of said lines; and further renumber the remaining subsections accordingly; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted.

Senator Crowell offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 202, Page 1, Line 5 of said amendment, by inserting immediately before the word “**labor**” the following: “**public**”.

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

SA 1, as amended, was again taken up.

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

Senator Pearce assumed the Chair.

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 202, Page 7, Section 105.504, Line 21, by striking “**public employers**” and inserting in lieu thereof, the following: “**the state as an employer**”.

Senator Green moved that the above amendment be adopted.

Senator Crowell requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Brown, Callahan, Lamping and Richard.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8
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NAYS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—25

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

Senator Crowell moved that **SS** for **SB 202**, as amended, be adopted, which motion prevailed.

On motion of Senator Crowell, **SS** for **SB 202**, as amended, was declared perfected and ordered printed.

At the request of Senator Stouffer, **SB 100**, with **SCS**, was placed on the Informal Calendar.

Senator Engler moved that **SB 117**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

An Act to repeal section 144.032, RSMo, and to enact in lieu thereof two new sections relating to the imposition of a hospital district sales tax in lieu of a property tax to fund a hospital district, with an emergency clause.

Was taken up.

Senator Engler moved that **SCS** for **SB 117** be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **SB 117** was declared perfected and ordered printed.

President Kinder assumed the Chair.

Senator Wasson moved that **SB 26** and **SB 106**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 26** and **106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 26 and 106

An Act to amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

Was taken up.

Senator Pearce assumed the Chair.

Senator Wasson moved that **SCS** for **SBs 26** and **106** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SBs 26** and **106** was declared perfected and ordered printed.

Senator Goodman moved that **SB 394** and **SB 331**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 394** and **331**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 394 and 331

An Act to repeal sections 566.200, 566.203, 566.206, 566.209, 566.212, 566.213, 566.218, and 566.223, RSMo, and to enact in lieu thereof eight new sections relating to human trafficking, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **SBs 394** and **331** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SBs 394** and **331** was declared perfected and ordered printed.

At the request of Senator Goodman, **SB 366**, with **SCS**, was placed on the Informal Calendar.

Senator Schaefer moved that **SB 237** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 237** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 213**, with **SCS**, was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SB 90** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **HCR 15**; **HCR 33**; **HCR 34**; **HCR 11**; **HCR 7**; and **HCS** for **HCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

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

Senator Dempsey announced that photographers from the Jefferson City News Tribune were given permission to take pictures in the Senate Chamber today.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 26** and **106**; **SCS** for **SB 117**; **SS** for **SB 202**; **SB 237**; and **SCS** for **SBs 394** and **331**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SB 202** to the Committee on Ways and Means and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 204** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 204** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 100**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 100**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 100

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax

credits for certain contributions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 100** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 100, Page 4, Section 135.1150, Line 90, by striking the year “2017” and inserting in lieu thereof the following: “**2015**”; and

Further amend said bill, page 6, section 135.1180, line 90, by striking the word “six” and inserting in lieu thereof the following: “**four**”.

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

Senator Stouffer moved that **SCS** for **SB 100**, as amended, be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **SB 100**, as amended, was declared perfected and ordered printed.

Senator Goodman moved that **SB 366**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 366**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 366

An Act to amend chapter 351, RSMo, by adding thereto seventy-seven new sections relating to the Missouri cooperative associations act, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **SB 366** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SB 366** was declared perfected and ordered printed.

SB 420, with **SCS**, was placed on the Informal Calendar.

Senator McKenna moved that **SB 286** be taken up for perfection, which motion prevailed.

Senator McKenna offered **SS** for **SB 286**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 286

An Act to amend chapter 160, RSMo, by adding thereto two new sections relating to the task force on the prevention of sexual abuse of children.

Senator McKenna moved that **SS** for **SB 286** be adopted.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 286, Page 1, In the Title, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following: “sections relating to protecting children from sex

offenders.”; and

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

“37.710. 1. The office shall have access to the following information:

(1) The names and physical location of all children in protective services, treatment, or other programs under the jurisdiction of the children’s division, the department of mental health, and the juvenile court;

(2) All written reports of child abuse and neglect; and

(3) All current records required to be maintained pursuant to chapters 210 and 211, RSMo.

2. The office shall have the authority:

(1) To communicate privately by any means possible with any child under protective services and anyone working with the child, including the family, relatives, courts, employees of the department of social services and the department of mental health, and other persons or entities providing treatment and services;

(2) To have access, including the right to inspect, copy and subpoena records held by the clerk of the juvenile or family court, juvenile officers, law enforcement agencies, institutions, public or private, and other agencies, or persons with whom a particular child has been either voluntarily or otherwise placed for care, or has received treatment within this state or in another state;

(3) To work in conjunction with juvenile officers and guardians ad litem;

(4) To file any findings or reports of the child advocate regarding the parent or child with the court, and issue recommendations regarding the disposition of an investigation, which may be provided to the court and to the investigating agency;

(5) To file amicus curiae briefs on behalf of the interests of the parent or child;

[(5)] (6) To initiate meetings with the department of social services, the department of mental health, the juvenile court, and juvenile officers;

[(6)] (7) To take whatever steps are appropriate to see that persons are made aware of the services of the child advocate’s office, its purpose, and how it can be contacted;

[(7)] (8) To apply for and accept grants, gifts, and bequests of funds from other states, federal, and interstate agencies, and independent authorities, private firms, individuals, and foundations to carry out his or her duties and responsibilities. The funds shall be deposited in a dedicated account established within the office to permit moneys to be expended in accordance with the provisions of the grant or bequest; [and]

[(8)] (9) Subject to appropriation, to establish as needed local panels on a regional or county basis to adequately and efficiently carry out the functions and duties of the office, and address complaints in a timely manner; and

(10) To mediate between alleged victims of sexual misconduct and school districts as provided in subsection 1 of section 160.262.

3. For any information obtained from a state agency or entity under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of child advocate. For information obtained directly by the office of child advocate under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply

to the children's division regarding information obtained during a child abuse and neglect investigation resulting in an unsubstantiated report.

160.085. The provisions of sections 37.710, 160.085, 160.261, 160.262, 162.014, 162.068, 162.069, 168.021, 168.071, 168.133, 210.135, 210.145, 210.152, 210.915, 210.922, and 556.037 relating to protecting children from sexual offenders shall be known as the "Amy Hestir Student Protection Act".

160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;

- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons. 7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include

but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. [(1)] Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

[(2)] **12.** Upon receipt of any reports of child abuse by the children's division **other than reports provided under subsection 11 of this section**, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. [(3)] In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when

administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee.

[(4)] **16.** The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

[(5)] **19.** The school board shall consider the separate reports **referred to in subsection 17 of this section** and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

[(a)] **(1)** The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that [the evidence shows that no] **there was not a preponderance of evidence to substantiate that** abuse occurred;

[(b)] **(2)** The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the **preponderance of** evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

[(c)] **(3)** The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

[11.] **20.** The findings and conclusions of the school board under [subdivision (5) of] subsection [10] **19** of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central

registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

[12.] **21.** Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

[13.] **22.** In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

160.262. 1. The office of the child advocate as created in section 37.705 shall be authorized to coordinate mediation efforts between school districts and students when requested by both parties when allegations of child abuse arise in a school setting. The office of the child advocate shall maintain a list of individuals who are qualified mediators. The child advocate shall be available as one of the mediators on the list from which parents can choose.

2. Mediation procedures shall meet the following requirements:

(1) The mediation process shall not be used to deny or delay any other complaint process available to the parties; and

(2) The mediation process shall be conducted by a qualified and impartial mediator trained in effective mediation techniques who is not affiliated with schools or school professional associations, is not a mandated reporter of child abuse under state law or regulation, and who is available as a public service.

3. No student, parent of a student, school employee, or school district shall be required to participate in mediation under this section. If either the school district or the student or student's parent does not wish to enter into mediation, mediation shall not occur.

4. Each session in the mediation process shall be scheduled in a timely manner and be held in a location that is convenient to the parties in dispute.

5. Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent administrative proceeding, administrative hearing, nor in any civil or criminal proceeding of any state or federal court.

6. If the parties resolve a dispute through the mediation process, the parties shall execute a legally binding agreement that sets forth the resolution and:

(1) States that all discussions that occurred during the mediation process shall remain confidential and may not be used as evidence in any subsequent administrative proceeding, administrative hearing, or civil proceeding of any federal or state court; and

(2) Is signed by a representative of each party who has authority to bind the party.”; and

Further amend said bill, page 4, section 160.2110, line 22, by inserting after all of said line the following:

“162.014. No person shall be a candidate for a member or director of the school board in any school district in this state if such person is registered or is required to be registered as a sex offender under sections 589.400 to 589.425. Any member or director of the school board of any school district who is registered or required to be registered as a sex offender under sections 589.400 to 589.425 shall be ineligible to serve as a member or director of a school board of any school district at the conclusion of his or her term of office.

162.068. 1. By July 1, 2012, every school district shall adopt a written policy on information that the district provides about former employees, both certificated and noncertificated, to other public schools. The policy shall include who is permitted to respond to requests for information from potential employers and the information the district would provide when responding to such a request. The policy shall require that notice of this provision be provided to all current employees and to all potential employers who contact the school district regarding the possible employment of a school district employee.

2. Any school district that employs a person about whom the children’s division conducts an investigation involving allegations of sexual misconduct with a student and reaches a finding of substantiated shall immediately suspend the employment of such person, notwithstanding any other provision of law, but the district may return the person to his or her employment if the child abuse and neglect review board’s finding that the allegation is substantiated is reversed by a court on appeal and becomes final. Nothing shall preclude a school district from otherwise lawfully terminating the employment of any employee about whom there has been a finding of unsubstantiated resulting from an investigation by the children’s division involving allegations of sexual misconduct with a student.

3. Any school district employee who is permitted to respond to requests for information regarding former employees under a policy adopted by his or her school district under subsection 2 of this section and who communicates only the information which such policy directs, and who acts in good faith and without malice shall be immune against any civil action for damages brought by the former employee arising out of the communication of such information. If any such action is brought, the school district employee may, at his or her option, request the attorney general to defend him or her in such suit and the attorney general shall provide such defense, except that if the attorney general represents the school district or the department of elementary and secondary education in a pending licensing matter under section 168.071 the attorney general shall not represent the school district employee.

4. Notwithstanding the provisions of subsection 2 of this section, if a district that has employed any employee whose job involves contact with children receives allegations of sexual misconduct concerning the employee and as a result of such allegations or as a result of such allegations being substantiated by the child abuse and neglect review board dismisses the employee or allows the employee to resign in lieu of being fired and fails to disclose the allegations of sexual misconduct when furnishing a reference for the former employee or responding to a potential employer’s request for information regarding such employee, the district shall be directly liable for damages to any student of a subsequent employing district who is found by a court of competent jurisdiction to be a victim of the former employee’s sexual misconduct, and the district shall bear third-party liability to the

employing district for any legal liability, legal fees, costs, and expenses incurred by the employing district caused by the failure to disclose such information to the employing district.

5. If a school district has previously employed a person about whom the children's division has conducted an investigation involving allegations of sexual misconduct with a student and has reached a finding of substantiated and another public school contacts the district for a reference for the former employee, the district shall disclose the results of the children's division's investigation to the public school.

6. Any school district employee, acting in good faith, who reports alleged sexual misconduct on the part of a teacher or other school employee shall not be discharged or otherwise discriminated against in any fashion because of such reporting.

162.069. 1. Every school district shall, by January 1, 2012, promulgate a written policy concerning teacher-student communication and employee-student communication. Such policy shall contain at least the following elements:

(1) Appropriate oral and nonverbal personal communication, which may be combined with or included in any policy on sexual harassment; and

(2) Appropriate use of electronic media such as text messaging and internet sites for both instructional and personal purposes, with an element concerning use of social networking sites no less stringent than the provisions of subsections 2, 3, and 4 of this section.

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

(1) "Exclusive access", the information on the website is available only to the owner (teacher) and user (student) by mutual explicit consent and where third parties have no access to the information on the website absent an explicit consent agreement with the owner (teacher);

(2) "Former student", any person who was at one time a student at the school at which the teacher is employed and who is eighteen years of age or less and who has not graduated;

(3) "Nonwork-related internet site", any internet website or web page used by a teacher primarily for personal purposes and not for educational purposes;

(4) "Work-related internet site", any internet website or web pages used by a teacher for educational purposes.

3. No teacher shall establish, maintain, or use a work-related internet site unless such site is available to school administrators and the child's legal custodian, physical custodian, or legal guardian.

4. No teacher shall establish, maintain, or use a nonwork-related internet site which allows exclusive access with a current or former student. Nothing in this subsection shall be construed as prohibiting a teacher from establishing a nonwork related internet site, provided the site is used in accordance with this section.

5. Every school district shall, by July 1, 2012, include in its teacher and employee training, a component that provides up-to-date and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults. The training shall emphasize the importance of mandatory reporting of abuse under section 210.115

including the obligation of mandated reporters to report suspected abuse by other mandated reporters, and how to establish an atmosphere of trust so that students feel their school has concerned adults with whom they feel comfortable discussing matters related to abuse.

168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

- (a) Upon the basis of college credit;
- (b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check **as prescribed in section 168.133** and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education. Upon the completion of the

requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education **which shall include completion of a background check as prescribed in section 168.133**. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year,

to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon [an appropriate] **completion of a background check as prescribed in section 168.133**, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the armed forces stationed in Missouri;
 - (2) Relocated from another state within one year of the date of application;
 - (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
 - (4) Otherwise qualifies under this section.
6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into

the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are

also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, RSMo, or murder in the first degree **under section 565.020**;

(2) Any of the following sexual offenses: rape **under section 566.030**; statutory rape in the first degree **under section 566.032**; statutory rape in the second degree **under section 566.034**; sexual assault **under section 566.040**; forcible sodomy **under section 566.060**; statutory sodomy in the first degree **under section 566.062**; statutory sodomy in the second degree **under section 566.064**; child molestation in the first degree **under section 566.067**; child molestation in the second degree **under section 566.068**; deviate sexual assault **under section 566.070**; sexual misconduct involving a child **under section 566.083**; **sexual contact with a student while on public school property under section 566.086**; sexual misconduct in the first degree **under section 566.090**; **sexual misconduct in the second degree under section 566.093**; **sexual misconduct in the third degree under section 566.095**; sexual abuse **under section 565.100**; enticement of a child **under section 566.151**; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest **under section 568.020**; abandonment of child in the first degree **under section 568.030**; abandonment of child in the second degree **under section 568.032**; endangering the welfare of a child in the first degree **under section 568.045**; abuse of a child **under section 568.060**; child used in a sexual performance **under section 568.080**; promoting sexual performance by a child **under section 568.090**; or trafficking in children **under section 568.175**; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree **under section 573.020**; promoting obscenity in the second degree when the penalty is enhanced to a class D felony **under section 573.030**; promoting child pornography in the first degree **under section 573.025**; promoting child pornography in the second degree **under section 573.035**; possession of child pornography [in the first degree] **under section 573.037**; [possession of child pornography in the second degree; furnishing child pornography to a minor;] furnishing pornographic materials to minors **under section 573.040**; or coercing acceptance of obscene material **under section 573.065**.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140, RSMo.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the **school district shall be responsible for conducting the criminal** background check [shall be conducted] on drivers employed by the school district [or]. **For drivers** employed by a pupil transportation company under contract with the school district, **the criminal background check shall be conducted pursuant to section 43.540 and conform to the requirements established in the National Child Protection Act of 1993, as amended by the Volunteers for Children Act. Personnel who have successfully undergone a criminal background check and a check of the family care safety registry as part of the professional license application process under section 168.021 and who have received clearance on the checks within one prior year of employment shall be considered to have completed the background check requirement. A criminal background check under this section shall include a search of any information publicly available in an electronic format through a public index or single case display.**

2. In order to facilitate the criminal history background check [on any person employed after January 1, 2005], the applicant shall submit [two sets] **a set** of fingerprints collected pursuant to standards determined by the Missouri highway patrol. [One set of] **The** fingerprints shall be used by the highway patrol to search the criminal history repository [and the family care safety registry pursuant to sections

210.900 to 210.936, RSMo,] and [the second set] shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The department of elementary and secondary education shall facilitate an annual check of employed persons holding current active certificates under section 168.021 against criminal history records in the central repository under section 43.530, the sexual offender registry under sections 589.400 to 589.475, and child abuse central registry under sections 210.109 to 210.183. The department of elementary and secondary education shall facilitate procedures for school districts to submit personnel information annually for persons employed by the school districts who do not hold a current valid certificate who are required by subsection 1 of this section to undergo a criminal background check, sexual offender registry check, and child abuse central registry check. The Missouri state highway patrol shall provide ongoing electronic updates to criminal history background checks of those persons previously submitted, both those who have an active certificate and those who do not have an active certificate, by the department of elementary and secondary education. This shall fulfill the annual check against the criminal history records in the central repository under section 43.530.

5. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

[5.] 6. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

[6.] 7. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

[7.] 8. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

[8.] 9. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one school district to another district. **A school district may, in its discretion, conduct a new criminal background check and fingerprint collection under subsections 1 and 2 for a newly hired employee at the district's expense.** A teacher's change in type of certification shall have no effect on the transferability or validity of such records.

[9.] 10. Nothing in this section shall be construed to alter the standards for suspension, denial, or

revocation of a certificate issued pursuant to this chapter.

[10.] **11.** The state board of education may promulgate rules for criminal history background checks made pursuant to this section. 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 January 1, 2005, shall be invalid and void.

210.135. **1.** Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, RSMo, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

2. Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

210.145. 1. The division shall develop protocols which give priority to:

(1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;

(2) Promoting the preservation and reunification of children and families consistent with state and federal law;

(3) Providing due process for those accused of child abuse or neglect; and

(4) Maintaining an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four

hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050, RSMo, if the victim is a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than eighteen years of age, or other crimes under chapter 566, RSMo, if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025, 573.035, 573.037, or 573.040, RSMo, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

5. The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. If the abuse is alleged to have occurred in a school or child-care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child-care facility shall have the same meaning as such term is defined in section 210.201.

6. The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific

person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

7. The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

8. When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

9. Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

10. Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

11. For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

12. If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

13. If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

14. Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

15. A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730, RSMo. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

16. The division shall provide to any individual, who is not satisfied with the results of an investigation, information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.

17. In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made. If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

[17.] **18.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services pursuant to subdivision (d) of subsection 1 of section 211.031, RSMo, and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

[18.] **19.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021, RSMo, and chapter 536, RSMo, to carry out the provisions of sections 210.109 to 210.183.

[19.] **20.** 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, 2000, shall be invalid and void.

210.152. 1. All identifying information, including telephone reports reported pursuant to section 210.145, relating to reports of abuse or neglect received by the division shall be retained by the division and removed from the records of the division as follows:

(1) For investigation reports contained in the central registry, identifying information shall be retained by the division;

(2) (a) For investigation reports initiated against a person required to report pursuant to section 210.115, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report by a person required to report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(b) For investigation reports, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(c) For investigation reports initiated by a person required to report under section 210.115, where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for five years from the conclusion of the investigation. For all other investigation reports where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for two years from the conclusion of the investigation. Such reports shall include any exculpatory evidence known by the division, including exculpatory evidence obtained after the closing of the case. At the end of such time period, the identifying information shall be removed from the records of the division and destroyed;

(3) For reports where the division uses the family assessment and services approach, identifying information shall be retained by the division;

(4) For reports in which the division is unable to locate the child alleged to have been abused or neglected, identifying information shall be retained for ten years from the date of the report and then shall be removed from the records of the division.

2. Within ninety days after receipt of a report of abuse or neglect that is investigated, the alleged perpetrator named in the report and the parents of the child named in the report, if the alleged perpetrator is not a parent, shall be notified in writing of any determination made by the division based on the investigation. The notice shall advise either:

(1) That the division has determined by a probable cause finding prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists and that the division shall retain all identifying information regarding the abuse or neglect; that such information shall remain confidential and will not be released except to law enforcement agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged perpetrator has sixty days from the date of receipt of the notice to seek reversal of the division's determination through a review by the child abuse and neglect review board as provided in subsection 3 of this section; or

(2) That the division has not made a probable cause finding or determined by a preponderance of the evidence that abuse or neglect exists.

3. The children's division may reopen a case for review at the request of the alleged perpetrator, the alleged victim, or the office of the child advocate if new, specific, and credible evidence is obtained that the division's decision was based on fraud or misrepresentation of material facts relevant to the division's decision and there is credible evidence that absent such fraud or misrepresentation the division's decision would have been different. If the alleged victim is under the age of eighteen, the request for review may be made by the alleged victim's parent, legal custodian, or legal guardian. All requests to reopen an investigation for review shall be made within a reasonable time and not more than one year after the children's division made its decision. The division shall not reopen a case for review based on any information which the person requesting the review knew, should have known, or could by the exercise of reasonable care have known before the date of the division's final decision in the case, unless the person requesting the review shows by a preponderance of the evidence that he or she could not have provided such information to the division before the date of the division's final decision in the case. Any person, other than the office of the child advocate, who makes a request to reopen a case for review based on facts which the person knows to be false or misleading or who acts in bad faith or with the intent to harass the alleged victim or perpetrator shall not have immunity from any liability, civil or criminal, for providing the information and requesting that the division reopen the investigation. Any person who makes a request to reopen an investigation based on facts which the person knows to be false shall be guilty of a class A misdemeanor. The children's division shall not reopen an investigation under any circumstances while the case is pending before a court of this state nor when a court has entered a final judgment after de novo judicial review pursuant to section 210.152.

4. Any person named in an investigation as a perpetrator who is aggrieved by a determination of abuse or neglect by the division as provided in this section may seek an administrative review by the child abuse and neglect review board pursuant to the provisions of section 210.153. Such request for review shall be

made within sixty days of notification of the division's decision under this section. In those cases where criminal charges arising out of facts of the investigation are pending, the request for review shall be made within sixty days from the court's final disposition or dismissal of the charges.

[4.] 5. In any such action for administrative review, the child abuse and neglect review board shall sustain the division's determination if such determination was supported by evidence of probable cause prior to August 28, 2004, or is supported by a preponderance of the evidence after August 28, 2004, and is not against the weight of such evidence. The child abuse and neglect review board hearing shall be closed to all persons except the parties, their attorneys and those persons providing testimony on behalf of the parties.

[5.] 6. If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the county in which the alleged perpetrator resides and in circuits with split venue, in the venue in which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a resident of the state, proper venue shall be in Cole County. The case may be assigned to the family court division where such a division has been established. The request for a judicial review shall be made within sixty days of notification of the decision of the child abuse and neglect review board decision. In reviewing such decisions, the circuit court shall provide the alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator may subpoena any witnesses except the alleged victim or the reporter. However, the circuit court shall have the discretion to allow the parties to submit the case upon a stipulated record.

[6.] 7. In any such action for administrative review, the child abuse and neglect review board shall notify the child or the parent, guardian or legal representative of the child that a review has been requested.

210.915. The department of corrections, the department of public safety, the department of social services, **the department of elementary and secondary education**, and the department of mental health shall collaborate with the department to compare records on child-care, elder-care, mental health, and personal-care workers, **including those individuals required to undergo a background check under the provisions of section 168.133**, and the records of persons with criminal convictions and the background checks pursuant to subdivisions (1) to (8) of subsection 2 of section 210.903, and to enter into any interagency agreements necessary to facilitate the receipt of such information and the ongoing updating of such information. The department shall promulgate rules and regulations concerning such updating, including subsequent background reviews as listed in subsection 1 of section 210.909.

210.922. The department of health and senior services, department of mental health, **department of elementary and secondary education**, and department of social services may use the registry information to carry out the duties assigned to the department pursuant to this chapter and chapters **168**, 190, 195, 197, 198, 630, and 660, RSMo.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within [twenty] **thirty** years after the victim reaches the age of eighteen unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, kidnapping, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.”; and

Further amend the title and enacting clause accordingly.

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

Senator Lager assumed the Chair.

Senator McKenna moved that **SS** for **SB 286**, as amended, be adopted, which motion prevailed.

On motion of Senator McKenna, **SS** for **SB 286**, as amended, was declared perfected and ordered printed.

Senator Stouffer moved that **SB 268** be taken up for perfection, which motion prevailed.

On motion of Senator Stouffer, **SB 268** was declared perfected and ordered printed.

Senator Pearce moved that **SB 228** be taken up for perfection, which motion prevailed.

At the request of Senator Pearce, **SB 228** was placed on the Informal Calendar.

CONCURRENT RESOLUTIONS

Senator Rupp moved that **SCR 8** be taken up for adoption, which motion prevailed.

Senator Rupp offered **SS** for **SCR 8**:

SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be \$6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Senator Rupp moved that **SS** for **SCR 8** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCR 8**, as amended by the **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

NAYS—Senators—None

Absent—Senator Lembke—1

Absent with leave—Senator Wright-Jones—1

Vacancies—None

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 213**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 213**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 213

An Act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 213** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 213** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 323**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 323**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 323

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies, with an emergency clause.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 323** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 323** was declared perfected and ordered printed.

Senator Lembke moved that **SB 36** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Lembke, **SB 36** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 254**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 254**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 254

An Act to repeal sections 302.309 and 577.023, RSMo, and to enact in lieu thereof two new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 254** be adopted.

Senator Stouffer offered **SS** for **SCS** for **SB 254**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 254

An Act to repeal sections 302.309, 302.530, 558.021, 577.017, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

Senator Stouffer moved that **SS** for **SCS** for **SB 254** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 12-13, Section 577.017, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 254, Pages 8-10, Section 302.530, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

Senator Stouffer moved that **SS** for **SCS** for **SB 254**, as amended, be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 254**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 241** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 241** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 278** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Munzlinger, **SB 278** was placed on the Informal Calendar.

Senator Pearce moved that **SB 291**, **SB 184** and **SB 294**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 291**, **184** and **294**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 291, 184 and 294

An Act to repeal sections 160.400, 160.405, 160.410, 160.415, 160.420, and 160.539, RSMo, and to enact in lieu thereof six new sections relating to charter schools.

Was taken up.

Senator Pearce moved that **SCS** for **SBs 291**, **184** and **294** be adopted.

Senator Kehoe assumed the Chair.

Senator Stouffer assumed the Chair.

At the request of Senator Pearce, **SB 291**, **SB 184** and **SB 294**, with **SCS** (pending), were placed on the Informal Calendar.

Senator Schaaf moved that **SB 122**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SCS** for **SB 122** was withdrawn.

SCS for **SB 122** was again taken up.

Senator Schaaf moved that **SCS** for **SB 122** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 122** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 366**; **SB 204**; and **SCS** for **SB 100**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

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 adopted **HCR 30**.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, the federal Patient Protection and Affordable Care Act (PPACA), also known as ObamaCare, has been ruled unconstitutional in its entirety by the Florida Federal District Court, and the individual mandate contained in the PPACA requiring the purchase of insurance

was ruled unconstitutional by Judge Henry Hudson in Federal District Court in Virginia; and

WHEREAS, the President of the United States, while addressing the issue of an individual mandate to purchase health insurance as a United States Senator in 2008, stated that “If a mandate was the solution, we can try that to solve homelessness by mandating everybody to buy a house.”; and

WHEREAS, in the August 2010 primary election, the citizens of Missouri have expressed their clear opposition to the individual mandate by passing Missouri Health Care Freedom, Proposition C by a 71% margin; and

WHEREAS, each house of the Missouri General Assembly has requested that the Governor and the Attorney General of the State of Missouri join in the legal challenge to the PPACA, so far to no avail; and

WHEREAS, considerable time, effort, and money has been, are being, and will continue to be expended attempting to comply with the mandates of the PPACA, which may ultimately be wasted time, energy, and money if the PPACA is subsequently found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the federal Court of Appeals process can be protracted and may well take up to two years for this issue to work its way through the appellate process and then ultimately to the United States Supreme Court; and

WHEREAS, such a lengthy delay of a final determination by the United States Supreme Court regarding the constitutionality of the PPACA would be extremely harmful to the State of Missouri and will cause substantial waste of state resources at a time when such resources are scarce; and

WHEREAS, allowing the waste of substantial amounts of state resources and uncertainty to continue when clarity could be provided is not good stewardship on the part of any elected state official:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Governor and Attorney General of the State of Missouri to send a letter to the President of the United States informing him of the urgency with which they view the need for a prompt resolution to the constitutional questions that have arisen regarding the federal Patient Protection and Affordable Care Act and further urge the President to take all actions within his powers to facilitate a hearing of this constitutional question by the United States Supreme Court at the earliest possible time; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and President Barack Obama.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 31**.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources “to strengthen the health and vitality of the citizens of the United States”; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive \$900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount

(84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately \$304 million to LWCF in FY 2009 but allocated only \$19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately \$479 million to LWCF with a mere \$490 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only \$509,599 in FY 2009 and \$699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, LWCF State Assistance program has invested more than \$84,125,968 in Missouri since 1965 and has funded 1,275 projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation. This would provide \$6 million for Missouri's 2012 LWCF budget:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 39**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 39

WHEREAS, Grant's Farm is an extraordinary treasure for the entire state and is one of the premiere attractions for visitors coming to St. Louis from across the country and the world; and

WHEREAS, Grant's Farm takes its name from our 18th President of the United States, Ulysses S. Grant. In the 1850s, Grant founded and owned the 281 acres comprising Grant's Farm; and

WHEREAS, Grant's Farm averages over 550,000 visitors per year over the last six years and is a vital economic engine in St. Louis County; and

WHEREAS, Grant's Farm, operated by Anheuser-Busch, Inc., has been a St. Louis tradition for more than five decades, employing more than 200 people and has welcomed more than 24 million visitors during its history; and

WHEREAS, Grant's Farm is home to more than 900 animals representing more than 100 different species, including a zoo with more than 400 animals; and

WHEREAS, in the U.S. Family Guide Zagat Survey of more than 11,000 avid travelers, Grant's Farm ranked overall as the 7th best family attraction nationwide; and

WHEREAS, some of Grant's Farm's attractions include:

(1) Deer Park, home to a variety of exotic animal species from six of the seven continents of the world and a variety of fish in the several beautiful lakes throughout Deer Park;

(2) Tier Garten, which provides visitors with an up close look at an amazing variety of animals and which includes an amphitheater

featuring educational and entertaining animal shows;

(3) Grant's Cabin, built on 80 acres received by Ulysses S. Grant and his new bride in 1848 as a wedding gift. In 1855, Grant did much of the log sawing and construction himself, completed the four-room, two-story cabin in just three days with the help of friends;

(4) The Bauernhof, the first building constructed on the Busch family estate which today is the home of the Busch family's world-renowned carriage collection and stables. Bauernhof is German for "farmstead";

(5) The Clydesdale Stables, home to one of the world's largest herd of Clydesdale horses with approximately 25 Clydesdale mares, geldings, stallions and foals. Only the finest Clydesdales from this stable become part of the Budweiser teams; and

WHEREAS, more than twenty local organizations and political subdivisions in the St. Louis County region have passed resolutions in support of incorporating Grant's Farm as a unit of the National Park Service; and

WHEREAS, to preserve this extraordinary treasure, Grant's Farm should be added as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly support the incorporation of, and urge the United States Department of the Interior to incorporate, Grant's Farm as a unit of the National Park Service by joining with the Ulysses S. Grant National Historic Site; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the Interior, Ken Salazar, and each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

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 354**, entitled:

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 484**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the Missouri state transit assistance program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 108**.

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 **SCS** for **SB 19**.

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 193**, entitled:

An Act to repeal sections 128.345 and 128.346, RSMo, and to enact in lieu thereof ten new sections relating to the composition of congressional districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SBs 26** and **106**; **SB 204**; and **SCS** for **SB 100** to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 707, regarding the Turkish American Society of Missouri, which was adopted.

Senator Lager offered Senate Resolution No. 708, regarding Karson Hill, which was adopted.

Senator Lager offered Senate Resolution No. 709, regarding Elizabeth Schieber, which was adopted.

Senator Lager offered Senate Resolution No. 710, regarding the One Hundredth Birthday of Marjorie Hackett Ware, Maryville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 711, regarding The Empowerment Network, Incorporated, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Goodman introduced to the Senate, Billy Rader, Steven Mills and Tegan Rader, Branson; and Tegan was made an honorary page.

Senator Dempsey introduced to the Senate, representatives of Boys and Girls Clubs from around the state.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Ed Cabbabe, M.D., St. Louis.

Senator Dixon introduced to the Senate, President Jacob Swett and students representing the Missouri State University Student Government Association.

Senator Munzlinger introduced to the Senate, Bruce Lane, Kirksville; and representatives of Lincoln University Participant Training Program for USDA/FAS Cochran Fellowship Program, Armenia.

Senator Pearce introduced to the Senate, Chief Larry Jennings, Johnson County Fire Department, Warrensburg; and Russ Mason, Central County Fire and Rescue, St. Peters.

Senator Schaefer introduced to the Senate, students from Christian Fellowship School, Columbia.

Senator Engler introduced to the Senate, Sarah and Haley Jolly, JoAnn Ringo, Debbie and Josh Belfield and Roxanne Rook, representatives of Washington County G.O.P. Club.

On behalf of Senator Schaefer, the President introduced to the Senate, student education majors from the University of Missouri.

Senator Cunningham introduced to the Senate, Bill and Pat Swiderski, St. Louis.

Senator Munzlinger introduced to the Senate, Coach Brennan Scanlon and members of the Mexico High School boys' basketball team.

Senator Parson introduced to the Senate, Liz Blackburn and twenty-eight students from Northwest High School, Hughesville.

Senator Green introduced to the Senate, Ed Dafflito, chaperones and twenty-three fourth through eighth grade students from Christ, Light of the Nations Catholic School, St. Louis; and Stacie Davis, Michael Brooks and Grant Fisher were made honorary pages.

Senator McKenna introduced to the Senate, President Dr. Ray Cummisky, Jefferson College, Hillsboro.

On behalf of Senator Pearce, the President introduced to the Senate, Liam Buell, Youth of the Year, Boys and Girls Club of West Central Missouri, Leeton Unit.

Senator Ridgeway introduced to the Senate, Sister Sharon and fifteen eighth grade students from St. Andrew the Apostle Catholic School, Gladstone.

On behalf of Senator Pearce, the President introduced to the Senate, Nicole Valenzuela, Kimberly O'Brien and Gerald Torres, Whiteman Air Force Base High School.

On behalf of Senator Pearce, the President introduced to the Senate, Phil Yancey, Misty Hanson and Robert Klutts, Kansas City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY—THURSDAY, APRIL 7, 2011

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 434-Nolte

HCS for HB 475

HB 423-Burlison, et al

HCS for HB 38

HB 68-Scharnhorst

HB 98-Ruzicka

HB 118-Peters-Baker

HB 183-Silvey

HCS for HBs 187 & 54

HB 263-Weter

HCS for HB 287	HB 448-Lair
HB 340-Klippenstein, et al	HB 499-Wells, et al
HCS for HB 344	HCS for HB 506
HB 462-Pollock	HB 513-Newman, et al
HB 503-Dugger, et al	HB 525-Molendorp
HCS for HB 578	HCS for HB 545
HB 550-Day	HCS for HB 548
HCS for HB 32	HCS for HB 556
HCS for HB 70	HCS for HB 557
HB 79-Nolte, et al	HB 560-Grisamore
HB 88-Gatschenberger	HB 561-Grisamore
HB 101-Loehner	HCS for HB 604
HB 141-Black, et al	HCS for HB 630
HCS for HB 143	HCS for HB 631
HB 182-Walton Gray, et al	HB 648-Montecillo
HCS for HB 197	HB 667-Carter, et al
HB 199-Kelley (126), et al	HB 673-Largent
HCS for HB 220	HB 675-Largent and Hoskins
HB 256-Cox, et al	HB 678-Schatz and Pollock
HCS for HB 259	HB 738-Nasheed, et al
HB 260-Cox, et al	HB 746-Brown (85), et al
HB 264-Nolte and Weter	HB 749-Lasater, et al
HCS for HB 265	HB 795-Kelley (126), et al
HB 270-Burlison and Swinger	HB 798-Brown (85)
HB 272-Kirkton, et al	HB 812-Brattin, et al
HB 307-Gatschenberger, et al	HB 813-Dugger
HB 327-Wallingford, et al	HCS for HB 825
HCS for HB 369	HCS for HB 354
HB 388-Burlison	HB 484-Faith
HB 402-Diehl and Korman	HCS for HB 193
HCS for HB 412	

THIRD READING OF SENATE BILLS

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|--|---------------------------|
| 1. SCS for SB 11-McKenna
(In Fiscal Oversight) | 5. SB 147-Schaefer |
| 2. SS for SCS for SB 65-Mayer
(In Fiscal Oversight) | 6. SS for SB 118-Stouffer |
| 3. SCS for SB 177-Brown | 7. SB 116-Justus |
| 4. SB 165-Goodman | 8. SCS for SB 81-Pearce |
| | 9. SCS for SB 60-Keaveny |
| | 10. SB 59-Keaveny |

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| 11. SCS for SB 54-Cunningham
(In Fiscal Oversight) | 21. SCS for SBs 26 & 106-Wasson
(In Fiscal Oversight) |
| 12. SCS for SB 29-Brown | 22. SCS for SB 117-Engler |
| 13. SJR 10-Lembke and Green
(In Fiscal Oversight) | 23. SS for SB 202-Crowell
(In Fiscal Oversight) |
| 14. SS for SB 9-Rupp | 24. SB 237-Schaefer |
| 15. SCS for SB 368-Stouffer | 25. SCS for SBs 394 & 331-Goodman |
| 16. SCS for SB 356-Munzlinger | 26. SCS for SB 366-Goodman |
| 17. SS for SB 231-Lager | 27. SB 204-Dempsey, et al
(In Fiscal Oversight) |
| 18. SS for SCS for SB 351-Lamping | 28. SCS for SB 100-Stouffer
(In Fiscal Oversight) |
| 19. SB 90-Dempsey (In Fiscal Oversight) | |
| 20. SS for SCS for SB 70-Schaefer | |

SENATE BILLS FOR PERFECTION

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|------------------------------|-----------------------|
| SBs 88 & 82-Schaaf, with SCS | SB 264-Rupp, with SCS |
| SB 299-Munzlinger, with SCS | |

HOUSE BILLS ON THIRD READING

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|------------------------------------|-------------------------|
| HCS for HB 14, with SCS (Schaefer) | HB 15-Silvey (Schaefer) |
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INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

- SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

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| SBs 1 & 206-Ridgeway, with SCS & SA 1
(pending) | SB 28-Brown |
| SBs 7, 5, 74 & 169-Goodman, with SCS | SB 37-Lembke, with SCS |
| SB 10-Rupp | SB 72-Kraus, with SS (pending) |
| SB 23-Keaveny, with SCS & SS for SCS
(pending) | SB 120-Stouffer |
| SB 25-Schaaf, with SCS & SS for SCS
(pending) | SB 130-Rupp, with SCS & SS for SCS (pending) |
| | SB 175-Munzlinger, et al, with SA 1 (pending) |
| | SB 176-Munzlinger, et al |
| | SBs 189, 217, 246, 252 & 79-Schmitt, with SCS |

SB 200-Crowell	SB 280-Purgason, et al, with SCS & SS for SCS (pending)
SB 203-Schmitt, et al, with SS (pending)	SBs 291, 184 & 294-Pearce, with SCS (pending)
SB 208-Lager	SB 322-Schaefer
SB 209-Lager	SBs 369 & 370-Cunningham, with SCS
SB 228-Pearce	SB 390-Schmitt, et al
SB 242-Cunningham, with SCS & SS for SCS (pending)	SB 420-Mayer, with SCS
SB 247-Pearce, with SS (pending)	SJR 11-Munzlinger, with SCS
SB 278-Munzlinger, et al	SJR 15-Nieves, et al

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS & SA 1
(pending) (Pearce)

RESOLUTIONS

Reported from Committee

SR 179-Purgason

To be Referred

HCR 30-Frederick, et al
HCR 31-Cookson, et al

HCS for HCR 39

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