

Journal of the Senate

FIRST REGULAR SESSION

FORTY-THIRD DAY—TUESDAY, MARCH 31, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For Wisdom is better than jewels; and all that you may desire cannot compare to her.” (Proverbs 8:11)

Creator God, we give thanks for the gift of wisdom You share with us, especially at times when we reflect on our actions and words or that of our colleagues. We pray that You will teach us the best path to take that leads us where You desire for us to end up. We ask that we will always seek Your guidance and wisdom before taking any important actions and understand the true value it brings us and others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 682, regarding Robert Louis Moller, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 683, regarding Marvin Arthur Hensel, Des Peres, which was adopted.

PRIVILEGED MOTIONS

Senator Munzlinger moved that **SS** for **SCS** for **SB 12**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 12**, as amended, was taken up.

Senator Munzlinger moved that **HCS** for **SS** for **SCS** for **SB 12**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **HCS** for **SS** for **SCS** for **SB 12**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 93**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 93**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 93

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to free speech at public institutions of higher education.

Was taken up.

Senator Emery moved that **SCS** for **SB 93** be adopted, which motion prevailed.

On motion of Senator Emery, **SCS** for **SB 93** was declared perfected and ordered printed.

Senator Silvey moved that **SB 300**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 300**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 300

An Act to repeal sections 86.1110, 86.1270, 86.1500, and 86.1630, RSMo, and to enact in lieu thereof four new sections relating to retirement benefits for employees of the police department of Kansas City.

Was taken up.

Senator Silvey moved that **SCS** for **SB 300** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SB 300** was declared perfected and ordered printed.

Senator Pearce moved that **SB 146**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 146**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 146

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof eight new sections relating to the licensing of speech-language pathologists and audiologists, with existing penalty provisions.

Was taken up.

Senator Pearce moved that **SCS** for **SB 146** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 146, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “relating to professions regulated under the division of professional registration, with”; and

Further amend said bill and page, section A, line 4, by inserting immediately after said line the following:

“324.023. 1. Notwithstanding any law to the contrary, any board or commission established under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345 may, at its discretion, issue oral or written opinions addressing topics relating to the qualifications, functions, or duties of any profession licensed by the specific board or commission issuing such guidance. Any such opinion is for educational purposes only, is in no way binding on the licensees of the respective board or commission, and cannot be used as the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345. No board or commission may address topics relating to the qualifications, functions, or duties of any profession licensed by a different board or commission.

2. The recipient of an opinion given under this section shall be informed that the opinion is for educational purposes only, is in no way binding on the licensees of the board, and cannot be used as the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345.”; and

Further amend the title and enacting clause accordingly.

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

Senator Sater moved that **SCS** for **SB 146**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 146**, as amended, was declared perfected and ordered printed.

Senator Schaefer moved that **SB 109**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 109**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 109

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 109** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 109, Page 1, Section 105.716, Line 18, by striking all of said line and inserting in lieu thereof the following: **“settlement offer recommended for acceptance by a public institution which awards baccalaureate degrees, then the attorney general may, at the request of the public institution which awards baccalaureate degrees, assume all”**.

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

Senator Schaefer moved that **SCS** for **SB 109**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 109**, as amended, was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Dempsey moved that **SB 322**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 322**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 322

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 322** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 322, Page 4, Section 208.010, Line 109, by striking the following: “On September 30, 2020, and on each September 30 of each successive year” and inserting in lieu thereof the following: “**Beginning in fiscal year 2020 and each successive fiscal year thereafter**”.

Senator Schmitt assumed the Chair.

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

Senator Dempsey moved that **SCS** for **SB 322**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 322**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 316** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Brown, **SB 316** was declared perfected and ordered printed.

Senator Romine moved that **SB 230**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 230**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 230

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to telehealth services.

Was taken up.

Senator Romine moved that **SCS** for **SB 230** be adopted, which motion prevailed.

At the request of Senator Romine, **SCS** for **SB 230** was placed on the Informal Calendar.

SB 358 was placed on the Informal Calendar.

Senator Riddle moved that **SB 302**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 302**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 302

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to out of state abortion referrals.

Was taken up.

Senator Riddle moved that **SCS** for **SB 302** be adopted.

At the request of Senator Riddle, **SB 302**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, 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 **SCR 4** and **SCR 1**, begs leave to report that it has examined the same and finds that the concurrent resolutions have been duly enrolled and that the printed copies furnished the Senators are correct.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SS** for **SCS** for **SB 149**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 16**.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, the children of Missouri are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our state; and

WHEREAS, the state of Missouri has the responsibility for ensuring that our children have every possible opportunity for school and future success; and

WHEREAS, each student in Missouri deserves to be challenged academically and prepared for college, meaningful employment in our global economy, and lifelong success; and

WHEREAS, each student in Missouri deserves to be actively engaged in learning and connected to the school and broader community; and

WHEREAS, each student in Missouri deserves to be supported by qualified, caring adults and receive access to personalized learning; and

WHEREAS, each student in Missouri deserves to learn about and practice a healthy lifestyle; and

WHEREAS, each student in Missouri deserves to learn in an environment that is physically and emotionally safe; and

WHEREAS, the consequences of not ensuring our young people are challenged, engaged, supported, healthy and safe are clear; and

WHEREAS, with approximately 2400 schools enrolling over 915,000 students, Missouri ranks in the top ten in the nation for high school graduation rates, according to a 2014 national report published by Education Week, with a graduation rate of 83.7 percent; and

WHEREAS, despite these gains, far too many young people are still failing to complete a meaningful high school education, with most of the nongraduates coming from educationally and socioeconomically disadvantaged groups and communities; and

WHEREAS, 66% of Hispanic students and 68% of African-American students graduate from high school, with those rates 10-15% below the graduation rates of white students; and

WHEREAS, graduation rates in large metropolitan areas with high concentrations of low-income students are far lower than the national average as well, with graduation rates in the 60-70% range; and

WHEREAS, the lost lifetime earnings for those Missouri students who fail to graduate from high school is estimated to exceed \$6 billion; and

WHEREAS, Missouri spends over \$50 million each year to provide remediation education for recent high school graduates who did not acquire basic skills necessary to succeed in college or at work; and

WHEREAS, the rate of poverty in Missouri has risen steadily over the past few years, up from 13.4% in 2008 to 16.2% today. That nearly 3% increase means approximately 179,000 more Missourians live in poverty today, which is more than the populations of Jefferson City and Columbia combined; and

WHEREAS, out of the more than 6 million people living in Missouri, 947,792 live at or below the federal poverty level, with more than 400,000 of those people living in extreme poverty; and

WHEREAS, in 2012, 310,000 of Missouri's children lived in poverty, which was an increase of 4,000 children since 2011. At 23% of children living at or below the federal poverty level, nearly one in every four children lives in poverty in the Show-Me State; and

WHEREAS, in 2011, 62% of Hispanic children, 68% of African-American children, and 38% of Caucasian children lived in low-income families; and

WHEREAS, in 2014, Missouri is now the 16th most obese state in the United States for adults at 30.4% and the 35th most obese state in the United States for children at 28.4%, with almost one in three Missouri students ages 10-17 now considered to be overweight or obese; and

WHEREAS, in 2014, the United States Department of Health and Human Services reports that one in three students say they have been bullied at school; and

WHEREAS, research indicates that more than 20% of students report there is no adult at their school who cares about them or knows them well:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby recognizes September 2015 as Missouri Whole Child Month; and

BE IT FURTHER RESOLVED that the General Assembly recognizes the value of assuring that each student is challenged, engaged, supported, healthy, and safe; encourages parents, educators, and community members to support a whole child approach to education for each student; and

BE IT FURTHER RESOLVED that the General Assembly encourages every Missouri school to celebrate Whole Child Month by identifying at least one of the whole child tenets to promote and encourage throughout the month.

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 **HCR 29**.

HOUSE CONCURRENT RESOLUTION NO. 29

WHEREAS, the rapid expansion of the western United States in the 1840s led to a demand for long-distance overland mail service; and

WHEREAS, John W. Butterfield answered the call of the United States government to develop and operate an overland stage route from Missouri to California; and

WHEREAS, the first Butterfield Overland Mail Company stagecoach left Tipton, Missouri, on September 16, 1858, traveling through Moniteau, Morgan, Pettis, Benton, Hickory, Polk, Greene, Christian, Stone, Lawrence, and Barry counties on a history journey across the United States; and

WHEREAS, the Butterfield Overland Mail Company's first east to west stagecoach completed its transcontinental mail run in twenty-three days, arriving in San Francisco, California on October 9, 1858; and

WHEREAS, the Company's successful completion of the 2,812 mile trip helped unite the country and facilitate the development and expansion of the United States; and

WHEREAS, due to the Civil War, the Butterfield Overland Mail Company ceased operations in 1861; and

WHEREAS, the former Butterfield Overland Trail became an important conduit for Union and Confederate troops during the Civil War; and

WHEREAS, during its brief existence, the Butterfield Overland Trail played a pivotal role in the history of the State of Missouri and in fulfilling the aspirations of the United States; and

WHEREAS, in recognition of the perceived national importance of these routes, and in response to public advocacy for the inclusion of these routes in the National Trails System, Congress passed legislation that was signed by President Obama on March 30, 2009, (Section 7209 of Public Law 111-11):

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to develop plans, ideas, and proposals to commemorate and celebrate the historic Butterfield Overland Trail by making it part of the National Historic Trails System; 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 each member of Missouri's 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 **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, Congress enacted, and the President signed into law, the Healthy, Hunger-Free Kids Act of 2010; and

WHEREAS, under the new nutrition standards implemented in 2012, school meal programs have experienced increased costs and administrative burdens while struggling with student acceptance of new menu items and increased plate waste; and

WHEREAS, as a result of the new nutrition standards, one million fewer students are choosing school meals each day; and

WHEREAS, approximately forty-seven percent of school meal programs report that overall revenue declined in the 2012-2013 school year; and

WHEREAS, school districts need relief from increasing operational costs associated with the federal mandates; and

WHEREAS, Missourians would benefit from a more common sense approach to school nutrition:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First

Regular Session, the Senate concurring therein, hereby urge the Missouri congressional delegation to make changes in the Child Nutrition Act Reauthorization in 2015 to promote a healthy school environment for children, provide reasonable flexibility in the operation of school meal programs, maximize program efficiency, ensure overall sustainability of child nutrition programs, and encourage local school districts and school nutrition programs to work with local farm-to-table organizations where appropriate; 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 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 **HCR 27**.

HOUSE CONCURRENT RESOLUTION NO. 27

WHEREAS, the fraternity of Alpha Gamma Rho attributes much of its founding to the Morrill Act, signed by President Abraham Lincoln in 1862, which granted land and other financial supports to establish one institution of higher learning in the agricultural and mechanical sciences within each state of the Union; and

WHEREAS, Alpha Gamma Rho was founded when two local fraternities from Ohio State and the University of Illinois met at an international livestock competition in Chicago, Illinois. Sixteen men originally signed the fraternity's charter on April 4, 1908. The expansion of Alpha Gamma Rho increased dramatically over the next three decades to almost every land-grant university in the country; and

WHEREAS, in 1914, W.C. Hackleman came to the University of Missouri-Columbia's campus with the idea of initiating a new chapter of Alpha Gamma Rho. Under his direction a group of undergraduates formed the Coleman Club, which was named for the first USDA Secretary of Agriculture, Norman J. Coleman, a Missourian; and

WHEREAS, the Coleman Club presented a petition to become a chapter to the national convention of Alpha Gamma Rho in February, 1916, which was granted; and

WHEREAS, on April 24, 1916, the Theta Chapter of Alpha Gamma Rho was officially installed at the University of Missouri-Columbia; and

WHEREAS, the Theta Chapter was the third chapter of Alpha Gamma Rho to be established west of the Mississippi River and the eighth chapter of the national fraternity; and

WHEREAS, many Theta Chapter alumni have gone on to lead distinguished careers including United States Secretary of Agriculture, member of the United States House of Representatives, director of the Missouri Department of Agriculture, and Dean of the College of Agriculture, Food, and Natural Resources at the University of Missouri-Columbia; and

WHEREAS, several Theta alumni have served as Grand President of the national fraternity, and many have been inducted into the national Alpha Gamma Rho Hall of Fame; and

WHEREAS, the Theta Chapter has twice received the national Maynard Coe Chapter Efficiency Award, which is the highest award an Alpha Gamma Rho chapter can receive; and

WHEREAS, in 2003, 2004, 2006, and 2012, the Theta Chapter was honored by the University of Missouri Greek Life Department with the Excellence Cup, the University's most prestigious fraternal award, for excelling in scholarship, leadership, campus involvement, brotherhood, service, and chapter management within the Greek community; and

WHEREAS, on April 24, 2016, the Theta Chapter of Alpha Gamma Rho will celebrate the 100th anniversary of the chapter's founding at the University of Missouri-Columbia:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby designate April 24, 2016, as "Alpha Gamma Rho Day" in Missouri.

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 **HB 873**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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 34**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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 326**, entitled:

An Act to repeal section 105.666, RSMo, and to enact in lieu thereof one new section relating to defined benefit pension plans.

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 515**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, and 86.320, RSMo, and to enact in lieu thereof nine new sections relating to police retirement systems.

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 629**, entitled:

An Act to repeal sections 86.1270 and 86.1630, RSMo, and to enact in lieu thereof two new sections relating to retirement benefits.

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 522**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

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 686**, entitled:

An Act to repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to junking certificates on motor vehicles.

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 775**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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 859**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Jackie Robinson day.

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 874**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of public holidays.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, 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 322**; **SB 316**; **SCS** for **SB 300**; **SCS** for **SB 146**; **SCS** for **SB 109**; **SCS** for **SB 93**; and **SS** for **SCS** for **SBs 63** and **111**, 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.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCR 21**, **SCR 19** and **SCR 23**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 433**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 328**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SBs 63** and **111** and **SCS** for **SB 322** to the Committee on Governmental Accountability and Fiscal Oversight.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **SCR 4**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SCS** for **SB 230** be called up from the Informal Calendar and again taken up for perfection, which motion prevailed.

Having voted on the prevailing side, Senator Romine moved that the vote by which **SCS** for **SB 230** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senator LeVota—1

Absent—Senators

Chappelle-Nadal Keaveny Parson—3

Absent with leave—Senators—None

Vacancies—None

SCS for **SB 230** was again taken up.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 230, Section 208.675, Page 1, Line 16, by inserting after the word “center” the following “or community mental health center”.

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

Senator Sater offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 230, Page 2, Section 208.677, Line 7, by inserting immediately after the word “assistance.” the following:

“No originating site for services or activities provided under section 208.686 shall be required to maintain immediate availability of on-site clinical staff during the telemonitoring services or activities.”; and further amend line 32, by inserting after all of said line the following:

“208.686. 1. Subject to appropriations, the department shall establish a statewide program that permits reimbursement under the MO HealthNet program for home telemonitoring services. For the purposes of this section, “home telemonitoring service” shall mean a health care service that requires scheduled remote monitoring of data related to a patient’s health and transmission of the data to a Utilization Review Accreditation Commission (URAC) accredited health call center.

2. The program shall:

(1) Provide that home telemonitoring services are available only to persons who:

(a) Are diagnosed with one or more of the following conditions:

a. Pregnancy;

b. Diabetes;

c. Heart disease;

- d. Cancer;**
- e. Chronic obstructive pulmonary disease;**
- f. Hypertension;**
- g. Congestive heart failure;**
- h. Mental illness or serious emotional disturbance;**
- i. Asthma;**
- j. Myocardial infarction; or**
- k. Stroke; and**

(b) Exhibit two or more of the following risk factors:

- a. Two or more hospitalizations in the prior twelve-month period;**
- b. Frequent or recurrent emergency department admissions;**
- c. A documented history of poor adherence to ordered medication regimens;**
- d. A documented history of falls in the prior six-month period;**
- e. Limited or absent informal support systems;**
- f. Living alone or being home alone for extended periods of time; or**
- g. A documented history of care access challenges;**

(2) Ensure that clinical information gathered by a home health agency or hospital while providing home telemonitoring services is shared with the patient's physician; and

(3) Ensure that the program does not duplicate any disease management program services provided by MO HealthNet.

3. If, after implementation, the department determines that the program established under this section is not cost effective, the department may discontinue the program and stop providing reimbursement under the MO HealthNet program for home telemonitoring services.

4. The department shall determine whether the provision of home telemonitoring services to persons who are eligible to receive benefits under both the MO HealthNet and Medicare programs achieves cost savings for the Medicare program.

5. If, before implementing any provision of this section, the department determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the department shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

6. The department shall promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536

are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

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

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 230, Page 1, Section A, Line 2, by inserting after all of said line the following:

“208.670. 1. As used in this section, these terms shall have the following meaning:

(1) “Provider”, any provider of medical services and mental health services, including all other medical disciplines;

(2) “Telehealth”, the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and to ensure confidentiality of medical information.

3. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

4. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth.

208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) “Asynchronous store-and-forward”, the transfer of a patient's clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient's treating provider;

(2) “Asynchronous store-and-forward technology”, cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;

(3) “Consultation”, a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;

(4) “Consulting provider”, a provider who, upon referral by the treating provider, evaluates a patient and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;

(5) “Distant site”, a site where the consulting provider is located at the time the consultation service is provided;

(6) “Originating site”, the site where a MO HealthNet participant receiving services and such participant's treating provider are both physically located;

(7) “Provider”, any provider of medical services or mental health services, including all other medical disciplines, licensed in this state who has the authority to refer patients for medical services or mental health services within the scope of practice and licensure of the provider;

(8) “Telehealth”, the same meaning as such term is defined in section 208.670. Telehealth shall include the use of asynchronous store-and-forward technology for orthopedics, dermatology, ophthalmology in cases of diabetic retinopathy, burn and wound care, and maternal-fetal medicine ultrasounds;

(9) “Treating provider”, a provider who:

(a) Evaluates a patient;

(b) Determines the need for a consultation;

(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment;

(d) Provides or supplements the patient's history and provides pertinent physical examination findings and medical information to the consulting provider; and

(e) Is physically present in the same location as the patient during the time of the asynchronous store-and-forward services.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Time lines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, time lines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Patient consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain patient consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such asynchronous store-and-forward services shall be made so that the total payment for the consultation shall be divided between the treating provider and the consulting provider. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for face-to-face care.

208.673. 1. There is hereby established the “Telehealth Services Advisory Committee” to advise the department of social services and propose rules regarding the coverage of telehealth services utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

(1) The director of the MO HealthNet division, or the director's designee;

(2) The medical director of the MO HealthNet division;

(3) A representative from a Missouri institution of higher education with expertise in telemedicine;

(4) A representative from the Missouri office of primary care and rural health;

(5) Two board-certified specialists licensed to practice in this state;

(6) A representative from a hospital located in this state that utilizes telehealth medicine;

(7) A primary care provider from a federally qualified health center (FQHC) or rural health clinic; and

(8) A primary care provider from a rural setting other than from an FQHC or rural health clinic.

3. Members of the committee listed in subdivisions (3) to (8) of subsection 2 of this section shall be appointed by the governor, with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, two members to serve two-year terms, and two members to serve one-year terms as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Onder offered **SA 1 to SA 3**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 230, Page 3, Section 208.671, Line 8, by inserting after the second use of the word “services” the following: “**or dental health services**”.

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

Senator Schaaf offered **SA 2 to SA 3**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 230, Page 5, Section 208.673, Line 22, by inserting after the word “practice” the following: “**medicine**”.

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

Senator Onder moved that **SA 3**, as amended, be adopted, which motion prevailed.

Senator Romine moved that **SCS for SB 230**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS for SB 230**, as amended, was declared perfected and ordered printed.

Senator Schatz moved that **SB 278**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 278, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 278

An Act to repeal sections 301.010, 301.067, and 301.227, RSMo, and to enact in lieu thereof four new sections relating to the registration of motor vehicles.

Was taken up.

Senator Schatz moved that **SCS for SB 278** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 278**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 278

An Act to repeal sections 301.010, 301.067, 301.196, and 301.227, RSMo, and to enact in lieu thereof five new sections relating to the registration of motor vehicles.

Senator Schatz moved that **SS** for **SCS** for **SB 278** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 1, In the Title, Line 4, by striking the following: “the registration of ”; and

Further amend said bill, page 16, section 301.067, line 28 of said page, by inserting immediately after said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, **or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213**. As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When

the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days, **or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213**, from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days, **or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213**, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction,

and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer, **unless the motor vehicle was acquired under section 301.213 in which case the applicant shall make application within thirty days after receiving title from the dealer**, upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words “Reconstructed Motor Vehicle”, “Motor Change Vehicle”, “Specially Constructed Motor Vehicle”, or “Non-USA-Std Motor Vehicle”, as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: “Annual odometer updates may be available from the department of revenue.”. On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, **or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer**, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, **or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer**, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been

issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle.

Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words “Non-USA-Std Motor Vehicle”.

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words “Reconstructed Motor Vehicle” and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.”; and

Further amend said bill, page 18, section 301.196, line 26 of said page, by inserting immediately after said line the following:

“301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to 301.573 that has provided to the director of revenue a surety bond or irrevocable letter of credit in an amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the twenty-five thousand dollar bond otherwise required for licensure as a motor vehicle dealer, shall be authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of ownership, and to receive such vehicle subject to any existing liens thereon created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives the following:

(1) A signed written contract between the licensed dealer and the owner of the vehicle; and

(2) Physical delivery of the vehicle to the licensed dealer; and

(3) A power of attorney from the owner to the licensed dealer, in accordance with subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner’s name and sign any title assignments on the owner’s behalf.

2. If the dealer complies with the requirements of subsection 1 of this section, the sale or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has physically delivered the motor vehicle to the licensed dealer, the prior owners’ insurable interest in such vehicle shall cease to exist.

3. If a licensed dealer complies with the requirements of subsection 1 of this section, and such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit in amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the twenty-five thousand dollar bond otherwise required for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to receiving and assigning to the purchaser the certificate of ownership, provided such dealer complies with the following:

(1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

(2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

(3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

(4) The dealer has signed an application for duplicate or replacement title for the vehicle under subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy of the power of attorney required by subsection 1 of this section, and the dealer has prepared and delivered to the purchaser an application for title for the vehicle in the purchaser’s name; and

(5) The dealer and the purchaser have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to provide to the dealer

proof of financial responsibility in accordance with chapter 303 and proof of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the original or an electronic copy of the signed agreement and deliver a copy of the signed agreement to the purchaser. Such dealer shall also complete and deliver to the director of revenue such form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle without contemporaneous delivery of the title.

Notwithstanding any provision of law to the contrary, completion of the requirements of this subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle to an insurance company in situations where the vehicle has been declared salvage or a total-loss by the insurance company as a result of a settlement of a claim. The purchaser may also use the dealer-supplied copy of the agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lender or insurance company may rely upon a copy of the signed written agreement on the form prescribed by the director of revenue as proof of ownership. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

4. Following a sale or other transaction in which a certificate of ownership has not been assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or replacement certificate of ownership applied for under subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of ownership to the purchaser upon either:

(1) Physical delivery of the certificate of ownership to any of the purchasers identified in the contract with such dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with such dealer.

5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign and deliver the duplicate or replacement certificate of ownership to the purchaser by the date agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the

dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of tile to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby damaged, then the seller shall be liable to each such party for actual and punitive damages, plus court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions, or violations of this section, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.

10. The department of revenue may use a dealer's repeated or intentional violation of this section as a cause to refuse to issue or renew any license required pursuant to sections 301.550 to 301.573, in addition to the causes set forth in section 301.562. The hearing process shall be the same as that established in subsection 6 of section 301.562.”; and

Further amend said bill, page 24, section 301.645, line 18 of said page, by inserting immediately after said line the following:

[407.581. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to 301.573 shall be authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of title, and to receive such vehicle subject to any existing liens thereon created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives the following:

(1) A signed written contract between the licensed dealer and the owner of the vehicle; and

(2) Physical delivery of the vehicle to the licensed dealer; and

(3) A power of attorney from the owner to the licensed dealer, in accordance with subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf.

2. If the dealer complies with the requirements of subsection 1 of this section, the sale or trade of the vehicle to the dealer shall be considered final.

3. If a licensed dealer complies with the requirements of subsection 1 of this section, the licensed dealer may sell such vehicle prior to receiving and assigning to the purchaser the certificate of title, provided such dealer complies with the following:

(1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

(2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

(3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

(4) The dealer has signed and submitted an application for duplicate or replacement title for the vehicle pursuant to subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy of the power of attorney required under subsection 1 of this section.

4. Following a sale or other transaction in which a certificate of title has not been assigned from the owner to the dealer, a licensed dealer shall, within five business days, apply for a duplicate or replacement title. Upon receipt of a duplicate or replacement title applied for pursuant to subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of title to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of title to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of title to the purchaser upon either:

(1) Physical delivery of the certificate of title to any of the purchasers identified in the contract with the dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with the dealer.

5. If a dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

6. If a dealer fails to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after making reasonable attempts, and thereby fails to assign and deliver the duplicate or replacement certificate of title to the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power

of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

7. If a seller fraudulently misrepresents to a dealer that the seller is the owner of a vehicle and the dealer or any subsequent purchaser is thereby damaged, then the seller shall be liable to the dealer and any subsequent purchaser for actual damages, plus court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of acts or omissions by the dealer to the lienholder or any party covered by subsections 5, 6, and 7 of this section, or by any combination of claims under this subsection, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.]; and

Further amend the title and enacting clause accordingly.

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

Senator Kehoe offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 16, Section 301.067, Line 28 of said page, by inserting immediately after said line the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the

registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the National Guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, [with the letters and numbers thereon right side up] **and may be mounted with the letters and numbers thereon right side up or mounted vertically on the left rear of such motor vehicles so long as the plate is plainly visible.** The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required

fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schatz moved that **SS** for **SCS** for **SB 278**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **SB 278**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

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

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 473**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 473**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 473

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 473** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 473, Page 1, In the Title, Line 2, by inserting immediately after “RSMo,” the following: “and sections 162.481 and 162.491 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,”; and

Further amend said bill and page, section A, line 1, by inserting immediately after “RSMo,” the following: “and sections 162.481 and 162.491 as truly agreed to and finally passed in senate substitute for

senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,”; and

Further amend said bill, pages 5-7, section 162.481, by striking all of said section and inserting in lieu thereof the following:

“162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections **3**, **4**, and **5** of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban **school** district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban **school** district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal

decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire. Beginning at the general municipal election in 2016, directors shall be elected in the following manner:

(1) For the two directors' terms that expire at the general municipal election in 2016, their successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified;

(2) For the three directors' terms that expire at the general municipal election in 2018, their successor members shall be elected for a term of two years and until their successors are duly elected and qualified. When such terms expire at the general municipal election in 2020, the successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified;

(3) For the two directors' terms that expire at the general municipal election in 2020, their successor members shall be elected for a term of one year and until their successors are duly elected and qualified. When such terms expire at the general municipal election in 2021, their successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified.”; and

Further amend said bill, page 7, section 162.491, line 22, by inserting immediately after said line the following:

“[162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected,

two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.]

[162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.]”.

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

Senator Schaaf moved that **SCS** for **SB 473**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 473**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 452** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 452, Page 1, In the Title, Lines 5-6, by striking “the offense of failure to appear” and inserting in lieu thereof the following: “traffic offenses”; and

Further amend said bill and page, section A, line 5, by inserting immediately after said line the following:

“307.178. 1. As used in this section, the term “passenger car” means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties

for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed [ten] **fifty** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

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

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 452**, with **SA 1** and the point of order (pending) on the Informal Calendar.

Senator Schaefer moved that **SB 210**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 210**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to health care providers.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 210** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 210, Page 2, Section 208.482, Line 3, by inserting immediately after the word “hospital” the following: “, **excluding department of mental health state operated psychiatric hospitals,**”.

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

Senator LeVota offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 210, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “.”; and

Further amend said bill and page, section 198.439, line 2, by inserting after all of said line the following:

“208.207. 1. Beginning January 1, 2016, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social

services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services and the department may develop such rates through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.

4. In the event that the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this section shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of PL 111-148, as that section existed on March 28, 2010, this section shall no longer be effective.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Schaefer requested a roll call vote be taken. He was joined in his request by Senators Keaveny, Nasheed, LeVota and Schaaf.

President Pro Tem Dempsey assumed the Chair.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—25							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SCS** for **SB 210**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 210**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 684, regarding Andrew Lachlan McLean, Blue Springs, which was adopted.

Senator LeVota offered Senate Resolution No. 685, regarding the death of Mason Folau Atagi,

Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 686, regarding the death of Charles A. “Charlie” Burton, Drexel, which was adopted.

Senator LeVota offered Senate Resolution No. 687, regarding the death of Rick Winship, Independence, which was adopted.

Senator Brown offered Senate Resolution No. 688, regarding the Forty-fifth Anniversary of the Rolla Area Sheltered Workshop, which was adopted.

Senator Brown offered Senate Resolution No. 689, regarding Robert O’Neill, which was adopted.

Senator Libla offered Senate Resolution No. 690, regarding Gorden Lawson Metcalf, Dexter, which was adopted.

Senator Holsman offered Senate Resolution No. 691, regarding the Class 3 State Champion Barstow Knights Basketball Team, Kansas City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, sixty-two college officials, thirty-two students returning from studying abroad, and two hundred sixty international students representing sixty-six countries.

Senator Brown introduced to the Senate, Instructor Richie Myers, Newburg; and twelve International students from Brazil, Saudi Arabia, Botswana, Palestine, Bangladesh, Nigeria, Syria and Macedonia, Missouri University Science and Technology, Rolla.

Senator Pearce introduced to the Senate, Krista McCormack, Erin Thiemann, Celeste Lawrence, and Galen Spielman, Washington University, St. Louis.

Senator Curls introduced to the Senate, representatives of Alpha Kappa Alpha Sorority, Inc.

Senator Wallingford introduced to the Senate, Kenneth and Cathy Kieser, Lake Waukomis.

Senator Pearce introduced to the Senate, students from the University of Central Missouri, Warrensburg.

Senator Kehoe introduced to the Senate, teachers Brenda Raymer and Rachel Ratcliff, parents and fifty-two fourth grade students from St. Peter’s Inter-parish School.

Senator Keaveny introduced to the Senate, Michael Magliari, St. Louis.

Senator Schupp introduced to the Senate, teachers Carly Shaw, Deb Collesano and Katie Venturella, and fifteen fourth grade students from St. Andrews Academy.

Senator Munzlinger introduced to the Senate, representatives of the Missouri Beer Wholesalers.

Senator Pearce introduced to the Senate, Philip Griffin, Odessa.

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

SENATE CALENDAR

 FORTY-FOURTH DAY—WEDNESDAY, APRIL 1, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 861-Fitzwater (49)
HB 118-Burlison	HB 531-Solon
HCS for HB 70	HCS for HB 104
HCS for HB 187	HCS for HB 325
HB 506-Zerr	HB 430-Curtman
HCS for HB 709	HB 985-Haefner
HB 458-Allen	HCS for HB 722
HB 529-Gosen	HCS for HB 132
HCS for HB 592	HCS for HB 299
HCS for HB 553	HB 440-Koenig
HB 514-Leara	HB 556-Wood
HB 878-Rhoads	HCS for HB 635
HCS for HB 613	HB 502-Kelley
HCS for HB 119	HB 589-Hough
HB 152-Haahr	HCS for HBs 578, 574, & 584
HCS for HB 33	HCS for HB 766
HB 276-Cornejo	HB 873-Johnson
HCS for HB 95	HB 34-Walker
HB 269-Miller	HB 326-Leara
HB 758-Rowland	HB 515-Leara
HB 403-Phillips	HB 629-Leara
HB 401-Fraker	HB 522-Cookson
HB 108-McCaherty	HB 686-Hinson
HB 133-Rowland	HB 775-Fitzwater
HB 650-Cornejo	HB 859-Dunn
HB 778-Ruth	HB 874-Remole

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 3. SS for SB 201-Dixon (In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 4. SB 203-Dixon (In Fiscal Oversight) |
| | 5. SCS for SB 322-Dempsey
(In Fiscal Oversight) |

- | | |
|----------------------------|--|
| 6. SB 316-Brown | 10. SCS for SB 93-Emery |
| 7. SCS for SB 300-Silvey | 11. SS for SCS for SBs 63 & 111-Sater
(In Fiscal Oversight) |
| 8. SCS for SB 146-Pearce | |
| 9. SCS for SB 109-Schaefer | |

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|------------------------------|
| 1. SB 167-Schaaf, with SCS | 11. SB 190-Curls, with SCS |
| 2. SB 372-Keaveny, with SCS | 12. SB 197-Brown, with SCS |
| 3. SB 475-Dempsey | 13. SB 445-Romine, with SCS |
| 4. SB 386-Keaveny | 14. SB 456-Kehoe, with SCS |
| 5. SB 345-Wasson, with SCS | 15. SB 244-Schmitt |
| 6. SB 499-Wasson, with SCS | 16. SB 389-Silvey and Walsh |
| 7. SB 524-Cunningham | 17. SB 155-Nasheed |
| 8. SB 80-Dixon, with SCS | 18. SB 433-Dixon and Dempsey |
| 9. SB 199-Dixon, et al, with SCS | 19. SB 328-Schupp, with SCS |
| 10. SB 20-Kraus | |

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| HCS for HB 42, with SCS (Pearce)
(In Fiscal Oversight) | HB 384-Flanigan, with SCA 1 (Dixon)
(In Fiscal Oversight) |
|---|--|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 331 & 21-Libla, with SCS & SS for
SCS (pending) |
| SB 59-Dixon | SB 358-Kehoe |
| SB 142-Romine, with SCS & SS#2 for SCS
(pending) | SB 424-Pearce, with SA 1 (pending) |
| SB 159-Parson | SB 452-Schmitt, et al, with SA 1 & point
of order (pending) |
| SB 227-Emery, with SS (pending) | SJR 7-Richard and Wallingford |
| SB 233-Kehoe, with SCS & SA 2 (pending) | |
| SB 302-Riddle, with SCS (pending) | |

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

- SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 20-Emery
SCRs 21, 19 & 23-Dixon, et al, with SCS
SCR 22-Schaefer
SCR 25-Munzlinger

SCR 26-Dempsey, with SCS
SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

To be Referred

HCR 16-Gannon
HCR 27-McGaugh

HCR 28-Houghton
HCR 29-Love

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